

## United States Environmental Protection Agency Region I - New England 5 Post Office Square, Suite 100 Boston, Massachusetts 02109-3912

Certified Mail
Return Receipt Requested
NOV 1 6 2015

Mark Townsend, CEO Townsend Energy Townsend Oil Company Incorporated 27 Cherry Street Danvers, Massachusetts 01923

Re:

Request for Information, Docket No. CWA-308-R01-FY16-08

Dear Mr. Townsend:

On November 3, 2015, a representative from the U.S. Environmental Protection Agency ("EPA") conducted an inspection of your bulk oil storage and distribution facility located at 75 West Main Street in Georgetown, Massachusetts ("the Facility"). During the inspection the EPA inspector observed deficiencies related to the Facility's compliance with the Oil Pollution Prevention Regulations at 40 C.F.R. Part 112, promulgated under Section 311 of the Clean Water Act, 33 U.S.C. § 1321. These deficiencies and additional observations are included as Attachment A to this letter for your review. Photographs taken during the inspection are included as Attachment B (and include EPA comments of certain issues noted in parenthesis). Included also is an additional copy of EPA's "SPCC Field Inspection and Plan Review Checklist" which was provided to the Facility's representative at the conclusion of the inspection.

Under the authority of Sections 308 and 311(m) of the Clean Water Act, 33 U.S.C. §§ 1318 and 1321(m), you are hereby required to submit to EPA within 30 calendar days of your receipt of this letter a response to the issues outlined in this letter and Attachment A. You are also hereby required to submit a response to the following:

- 1. Specify the full legal name(s) with exact spelling, the business mailing address, and telephone number for Townsend Energy and Townsend Oil Company Incorporated (hereafter referred to as "Townsend Oil"). If incorporated, specify the state of incorporation and the principal place of business. If a partnership, provide the names and addresses of all the partners. If Townsend Oil has a parent company, list the parent name and address.
- 2. Specify the entity or entities that own or have owned the Townsend Oil facilities located in Georgetown, Massachusetts from January 1, 2004, to the present. If any transfer of ownership has occurred, specify the owner(s) prior to and following the transfer, and the date of transfer.

- 3. Submit a copy of a new or revised/amended SPCC Plan. If completion of the Plan and "on-the-ground" site improvements are not feasible within 30 calendar days, submit a detailed and itemized schedule outlining when the Plan and site improvements will be complete. Include the name, address, license number, and state of licensure for the registered professional engineer certifying the new or revised/amended SPCC Plan.
- 4. Provide a statement detailing actions you have taken or expect to take to correct the deficiencies specified in Attachments A and B, including, but not limited to, revision of the SPCC Plan.
- 5. On a monthly basis, until you receive further notice from EPA, submit to EPA a Monthly Progress Report detailing all actions being taken by the Facility to fully comply with the Oil Pollution Prevention Regulations. The Monthly Progress Report shall be mailed to Mr. Canzano at the address noted below no later than the last day of each month.

The following additional information shall also be provided within 30 calendar days of your receipt of this letter:

- 6. If applicable, a list of additional facilities owned and or operated by Townsend Oil throughout New England, including the name, location, and total number of employees at each facility. For each identified facility, provide the following information:
  - a. Provide the aggregate shell capacity of all aboveground oil tanks and containers equal to or greater than 55 gallons in size at each facility.
  - b. Explain whether each additional facility is subject to the Oil Pollution Prevention Regulations at 40 C.F.R. Part 112.
  - c. For those facilities that are subject to the Oil Pollution Prevention Regulations indicate whether the facility has a written, professional engineer-certified SPCC Plan or a written, self-certified SPCC Plan, and whether the SPCC Plan is being fully implemented at the facility; and
  - d. For facilities that are required to have an SPCC Plan but either do not have one or are not fully implementing their SPCC Plan, provide a time frame for when each facility is expected to be in compliance with the Oil Pollution Prevention Regulations.
- 7. As noted above, you are required to amend the SPCC Plan as a result of EPA's November 3, 2015, inspection. Include as part of your response the following information:
  - The expected or actual total engineering cost to amend the Plan;
  - A complete and legible copy of the Plan as it appeared on the day of EPA's November 3, 2015, inspection (i.e. a copy of the Draft, January 1, 2004 SPCC Plan, prepared by Wilcox & Barton, Inc., (the "January 2004 SPCC Plan");
  - c. An itemized list of each site improvement and the cost to implement each improvement. Costs include, but are not limited to, the actual or estimated cost to: paint tanks showing surface corrosion, construct sized secondary containment for the loading rack; construct general secondary containment for the off-loading area; contract services of a licensed

certified tank and piping inspector to conduct a formal external and internal tank inspection, and formal piping inspection for all transfer piping, valves and apertures. Include estimated or actual costs to repair equipment and facilities not in full compliance with EPA's Oil Pollution Prevention Regulations.

- 8. Describe, in detail, oil transfer steps and equipment used (i.e., piping, fittings, pumps, valves, platform, etc.) for loading oil in oil tanker truck(s) and or equipment from the Facility's loading rack and or dispensers. Your description shall include a detailed Process Flow Diagram ("PFD") illustrating the Facility's seven 10,000 gallon tanks and two 330 gallon tanks. The diagram shall illustrate, at a minimum, the tanks, size of tanks and containment volume for any diked area around the tanks, all piping and valves, type and size of piping and valves, directional flow of oil through pipes and valves during tanker truck loading operations from each tank(s), and tanker truck off-loading operations when filling tanks. Your diagram shall also illustrate clearly if any tanks are baffled/piped together, and if applicable proper isolation valves are employed to isolate tanks and piping and or operate tanks together. The diagram shall be stamped by a licensed professional engineer.
- Provide a detailed explanation indicating which improvements identified in Section VI
  ("Facility Improvements") of the Facility's January 2004 SPCC Plan have been
  implemented or are being implemented.
- 10. Since November 1, 2012, to the present, provide: (1) a list of all employees responsible for operations and handling of oil at the Facility and for those people, their annual employee training records for SPCC, and rapid response; and (2) drainage discharge records for the presence of a sheen for accumulating waters from the Facility's fuel farm containment dike. Drainage discharge records should include, date water was discharged from the dike area, volume of water discharged (estimated or actual), and name and signature of the person(s) conducting the activity. If employee training and or dike drainage records are not maintained, then provide a brief explanation for the reason why records are not maintained.
- 11. Provide a copy of any formal internal or external tank and or piping inspection records for the Facility.
- 12. Since January 1, 2004, provide the annual oil output, expressed as gallons per year, from the Facility.

Answers to the above set of questions shall be sent by Certified Mail Return Receipt Requested to:

Joseph Canzano, P.E.
Region I Oil Spill Prevention Enforcement Coordinator
U.S. Environmental Protection Agency, Region 1
5 Post Office Sq., Suite 100, Mail Code OES04-4
Boston, MA 02109-3912

The Small Business Regulatory Enforcement and Fairness Act ("SBREFA") provides small businesses the opportunity to submit comments on regulatory enforcement at the time of an EPA enforcement action. The enclosed Information Sheet contains information regarding your rights, and describes compliance assistance that may be available to you. The Small Business Ombudsman may be reached at 1-800-368-5888. EPA routinely provides this information to businesses whether or not they qualify as small businesses, as defined by the Small Business Administration. Please be aware that availing yourself of this opportunity does not relieve your facility of its responsibility to comply with applicable federal and state laws and regulations.

Noncompliance with the Oil Pollution Prevention Regulations constitutes a violation of the federal Clean Water Act for which both injunctive relief and penalties may be sought. The EPA reserves its right to take further enforcement action pursuant to the federal Clean Water Act, and other applicable laws, including the right to seek penalties, for any violations detected at the above-referenced inspection. Although preparation and/or revision and submittal of an SPCC Plan to EPA does not preclude EPA from seeking penalties for violations of the federal Clean Water Act, your prompt response towards coming into full compliance with the Oil Pollution Prevention Regulations will be taken into account in determining EPA's enforcement response.

Compliance with this information request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, within the time frame specified above, also constitutes a violation of the federal Clean Water Act subject to enforcement action, including the assessment of civil penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal prosecution under 18 U.S.C. § 1001. If information or documents not known or available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of the response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible, and provide a corrected response.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to you.

Your response to this Request must be accompanied by the Statement of Certification that is signed and dated by the person who is authorized to respond to the Request on behalf of the company. The Statement of Certification is enclosed with this letter.

If you have any questions concerning your compliance with this letter or how to respond, contact Joseph Canzano, Oil Spill Prevention Compliance Coordinator directly at (617) 918-1763, or you may have your attorney contact Rohemir Ramirez Ballagas, EPA's attorney in this matter at (617) 918-1262. For more information on EPA's Oil Pollution Prevention Regulation go to <a href="https://www.epa.gov/oilspill">www.epa.gov/oilspill</a> where EPA provides general guidance and documentation on EPA's Oil Pollution Prevention Regulations and SPCC Plan development.

Sincerely,

James Chow, Manager,

Technical Enforcement Office

Office of Environmental Stewardship

## Enclosures

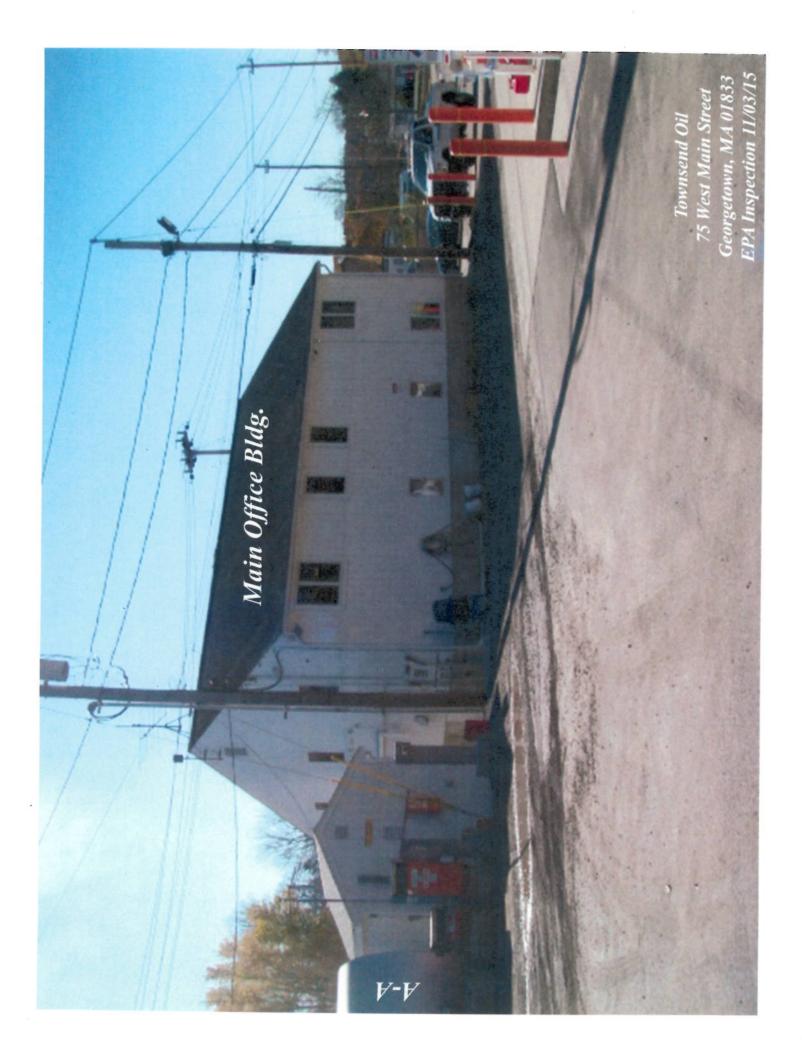
cc: Barry Davis, Director or Safety, Compliance & Facilities, Townsend Oil Albert Beardsley, Fire Chief, Town of Georgetown, Massachusetts Joseph Canzano, EPA Region 1 (electronically)
Rohemir Ramirez Ballagas, EPA Region 1 (electronically)

## Attachment B

Townsend Oil 75 West Main Street Georgetown, MA 01833

> 42° 43' 38" N 70° 59' 35" W

November 03, 2015 EPA Inspection



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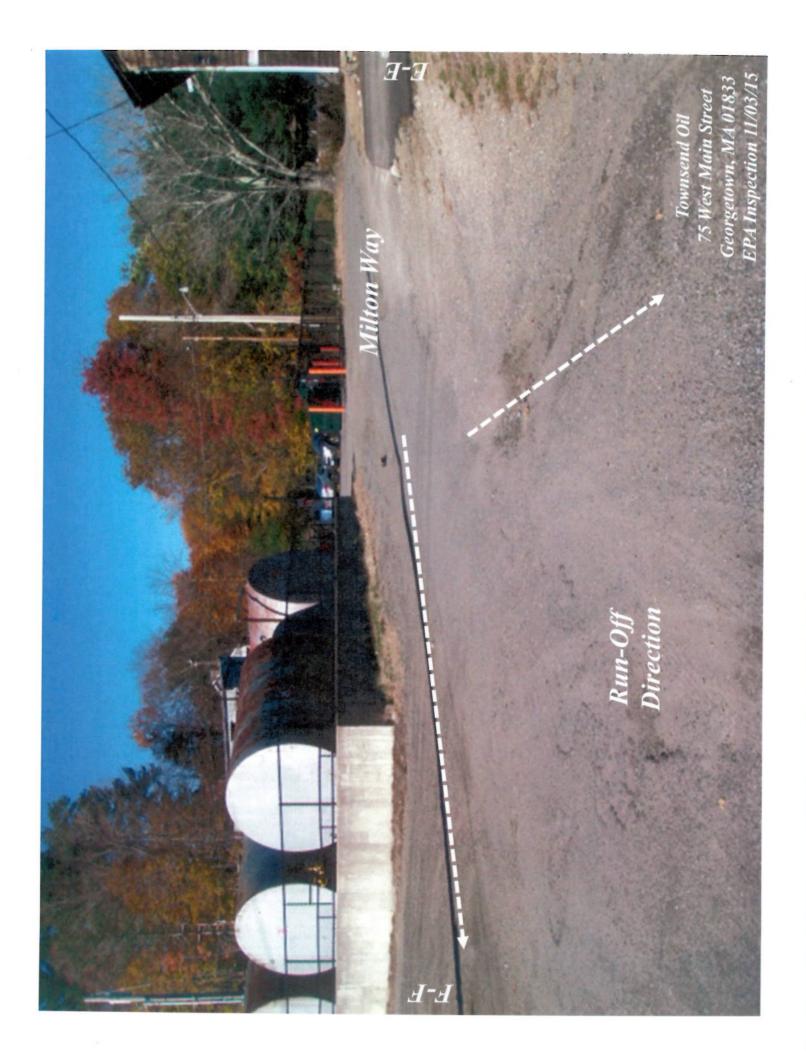




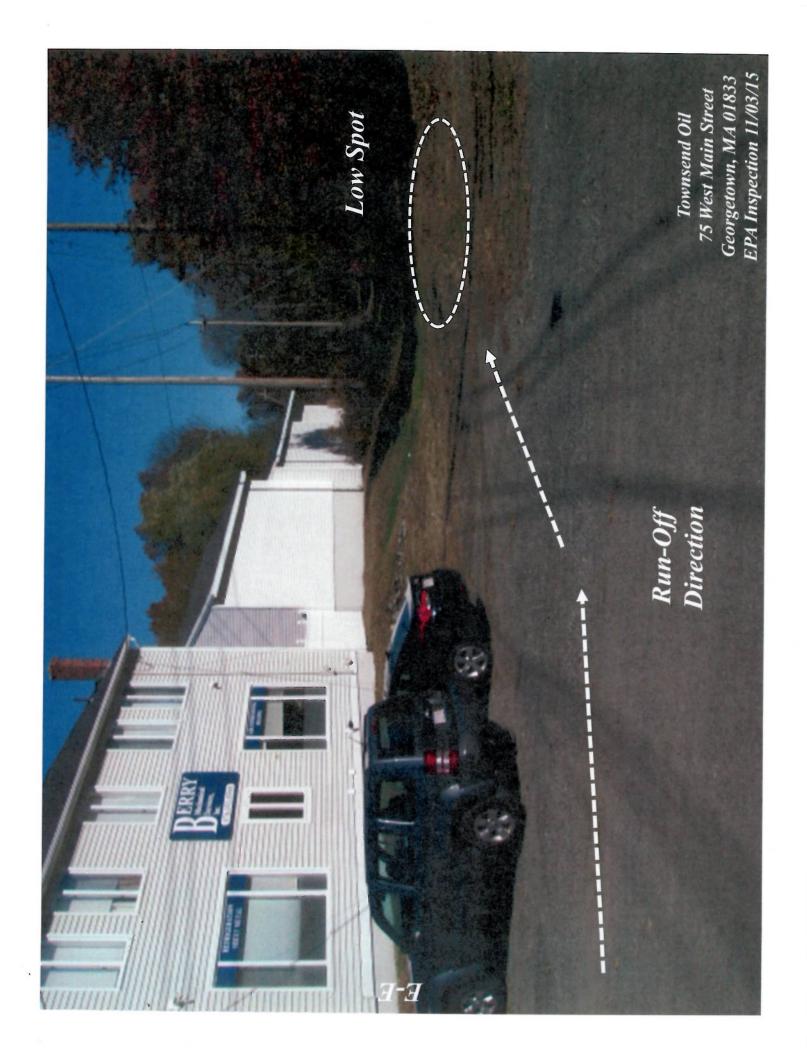
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(No Sized Secondary Containment Oil Spills Throughout Loading Rack Area (Clean Area) A ...

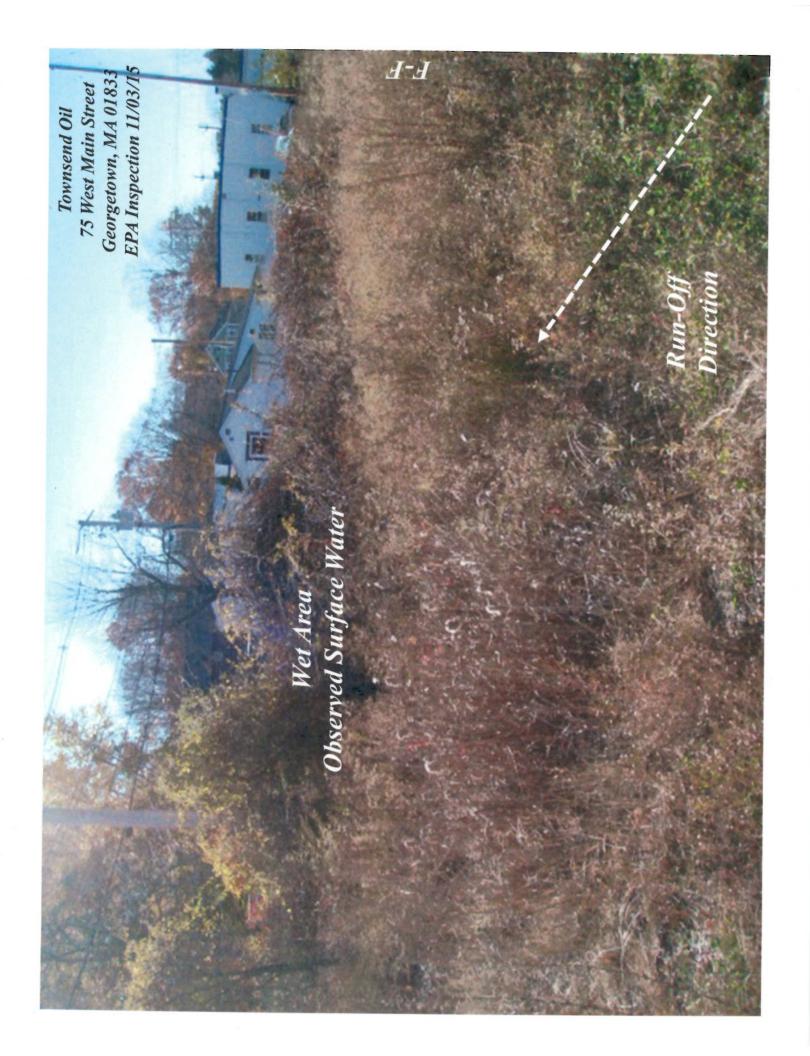
## Tank Farm (5) 10,000 Gallon Tanks No. 2 Oil & (2) 10,000 Gallon Tanks On-Road Diesel Oil

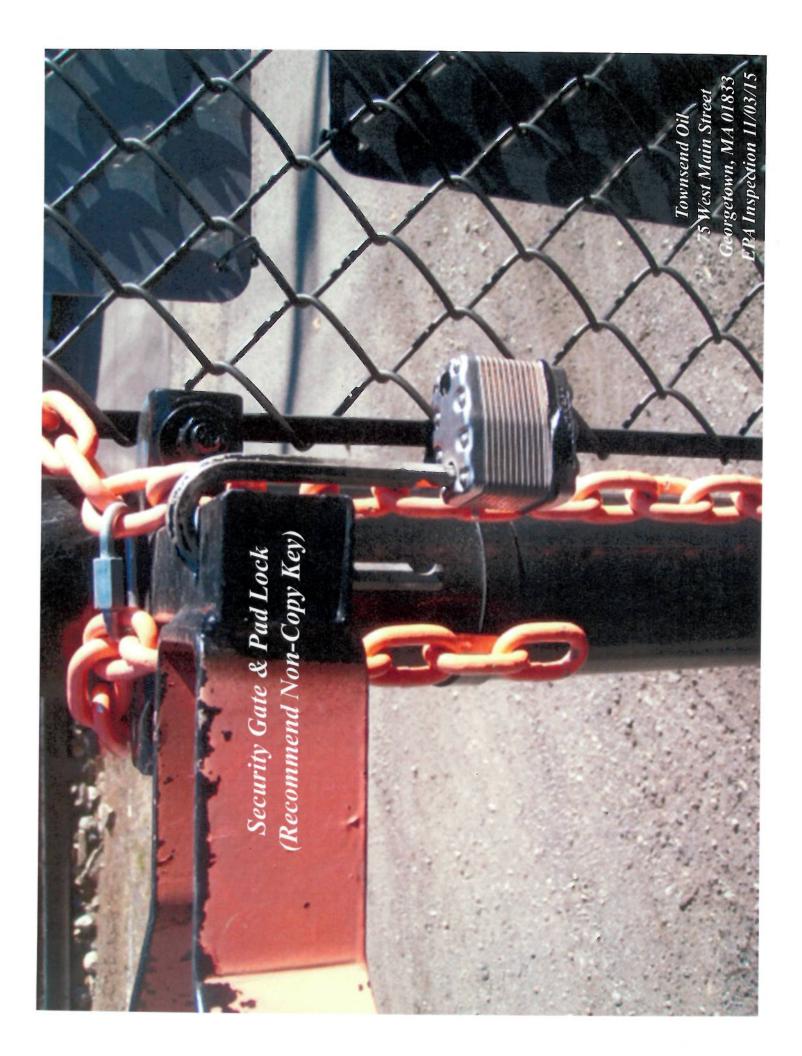


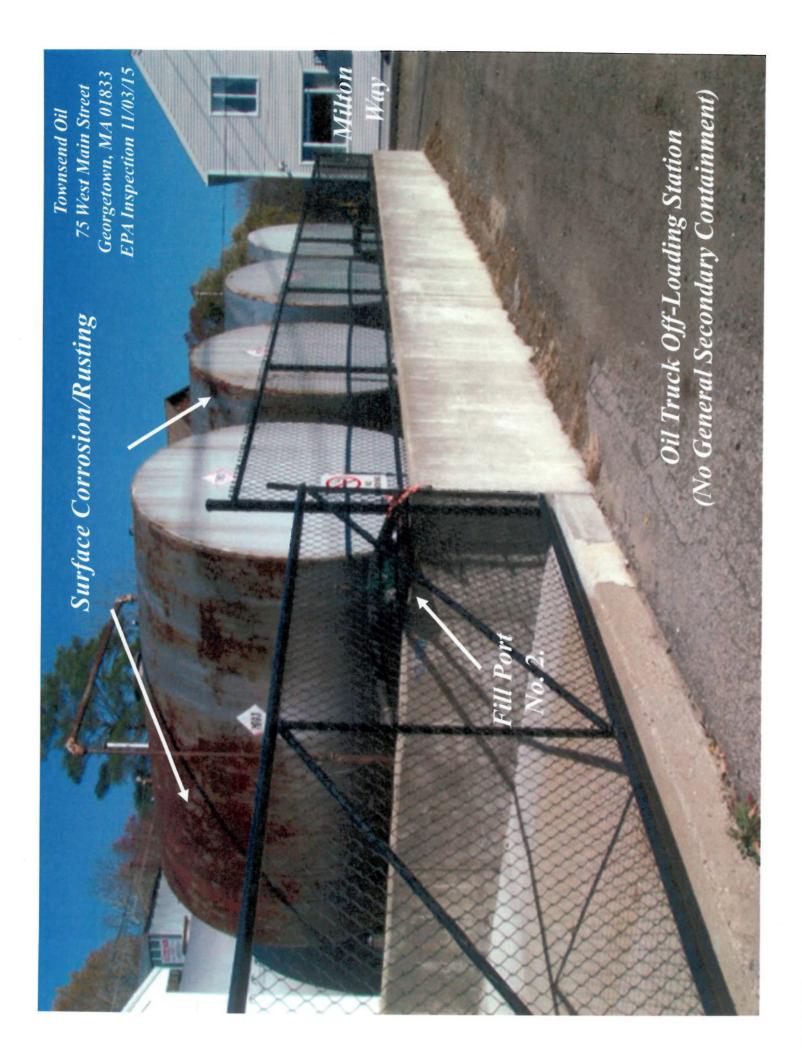
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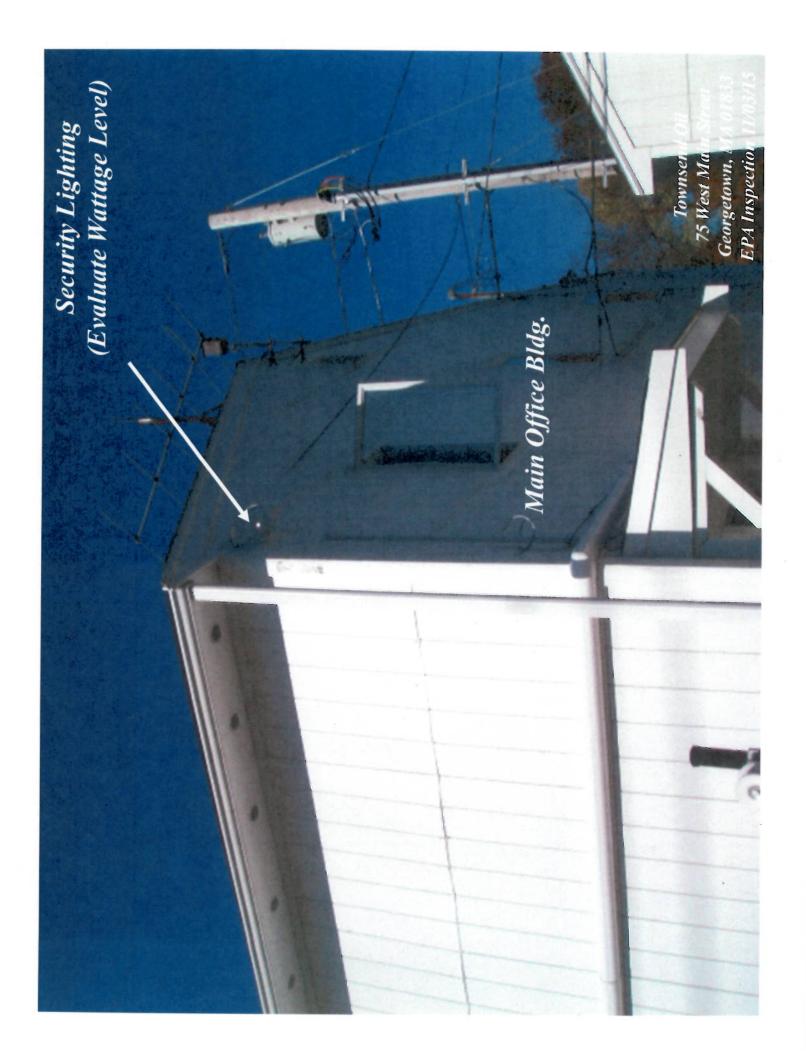
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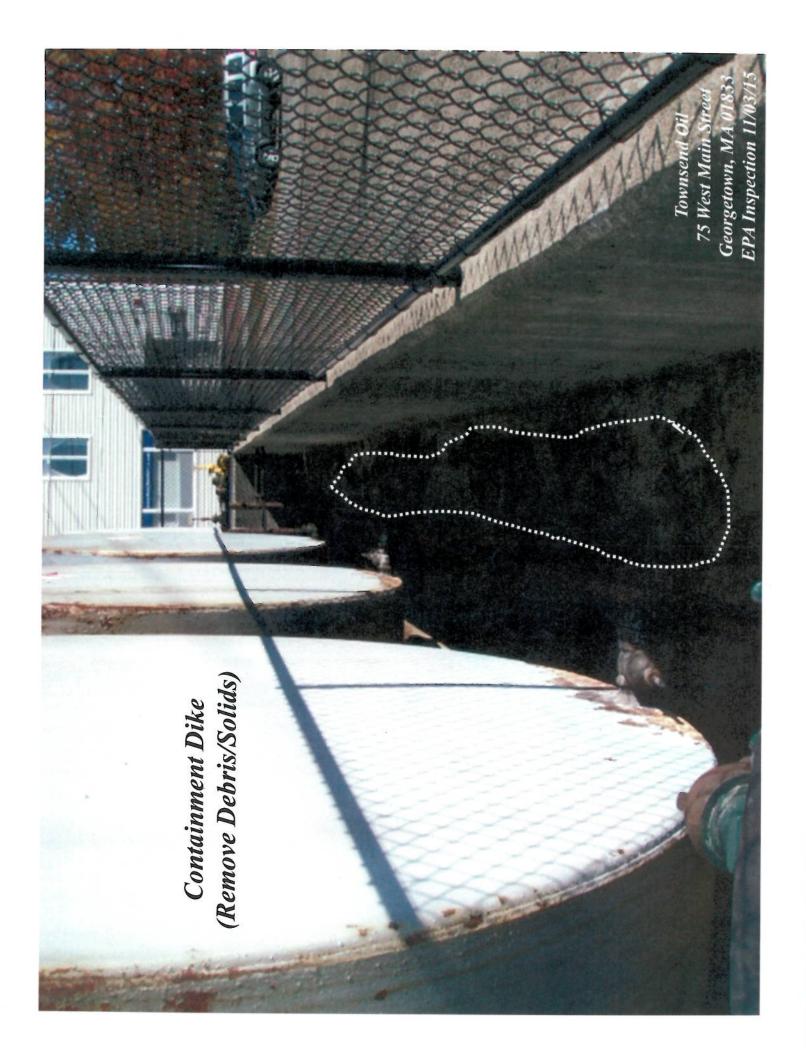
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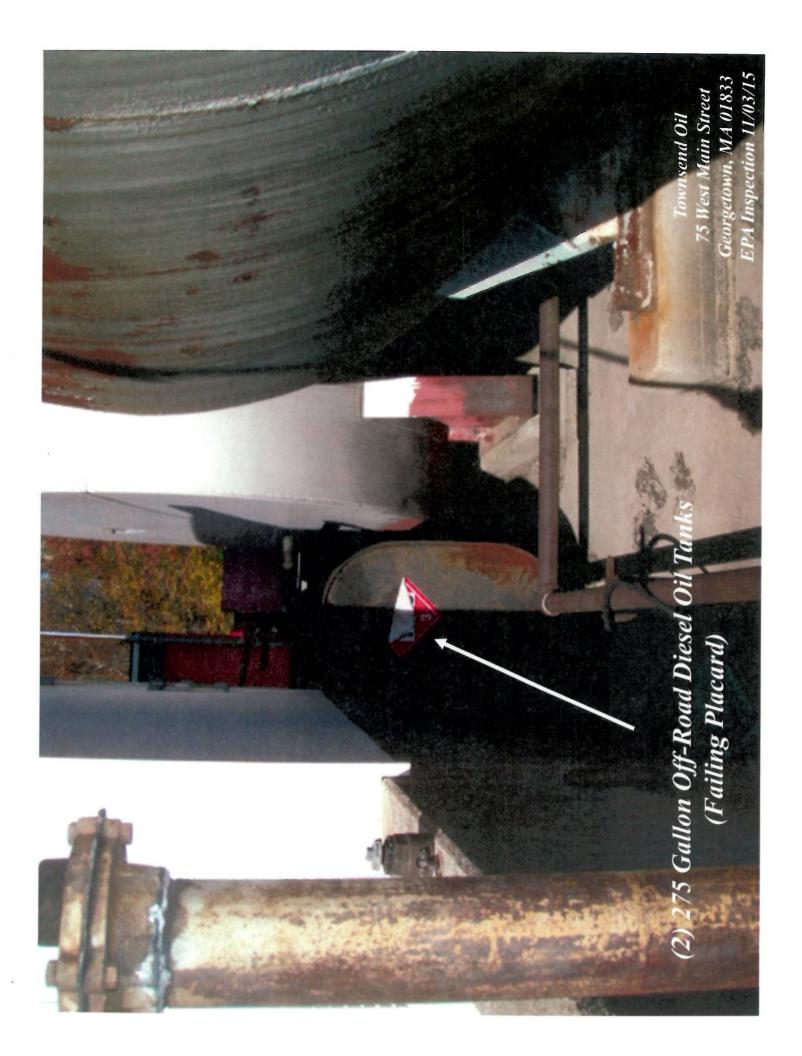
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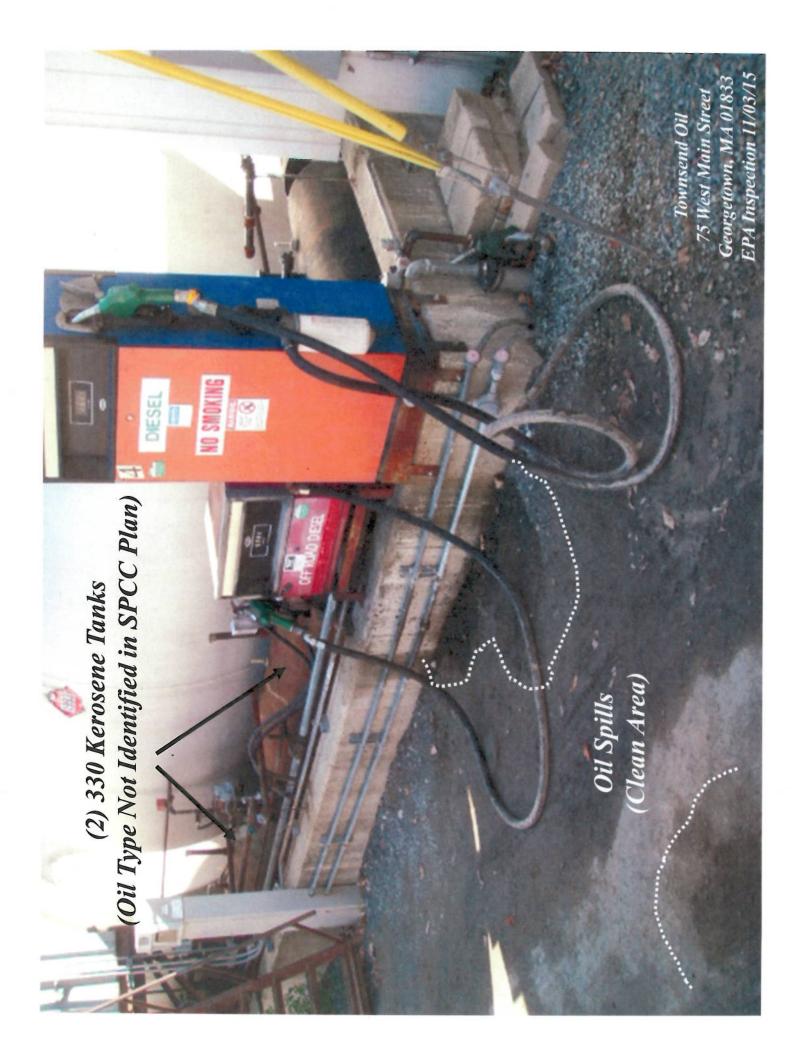




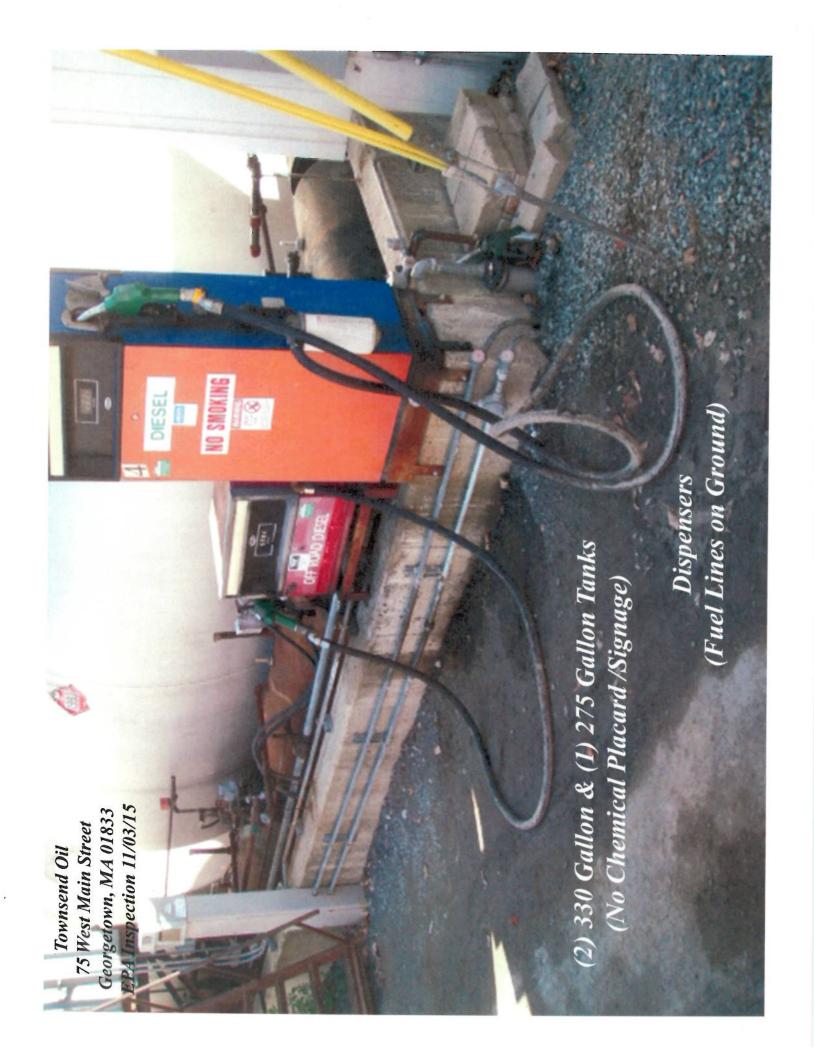
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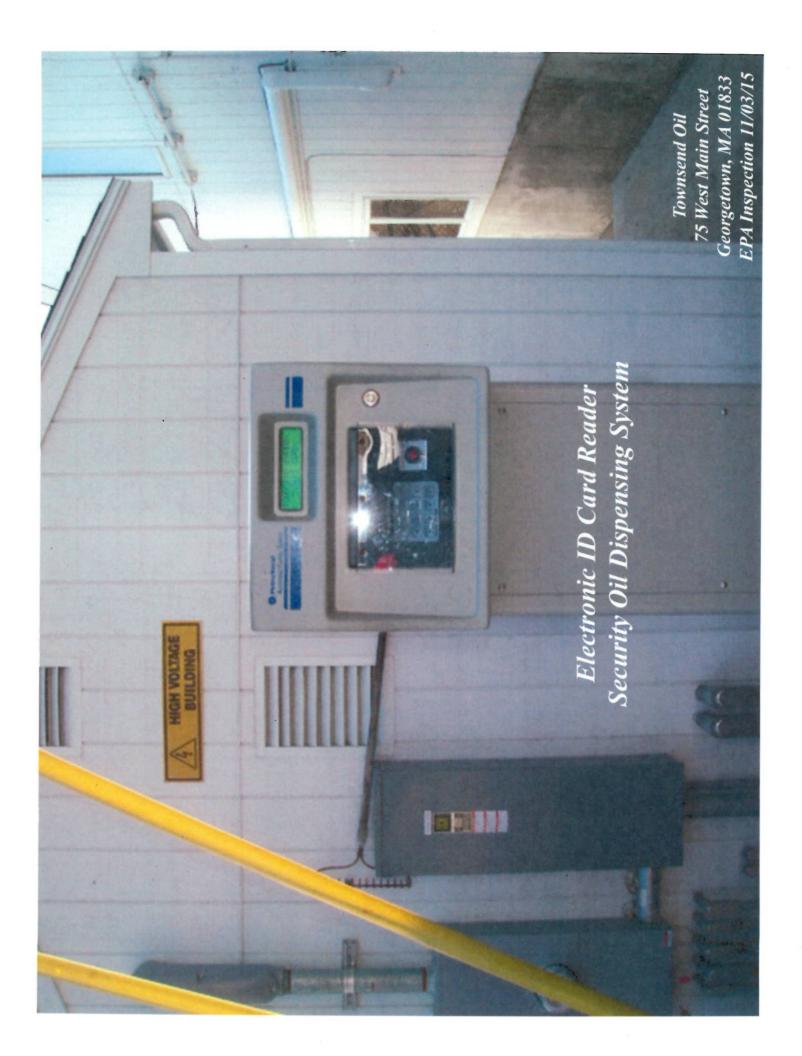


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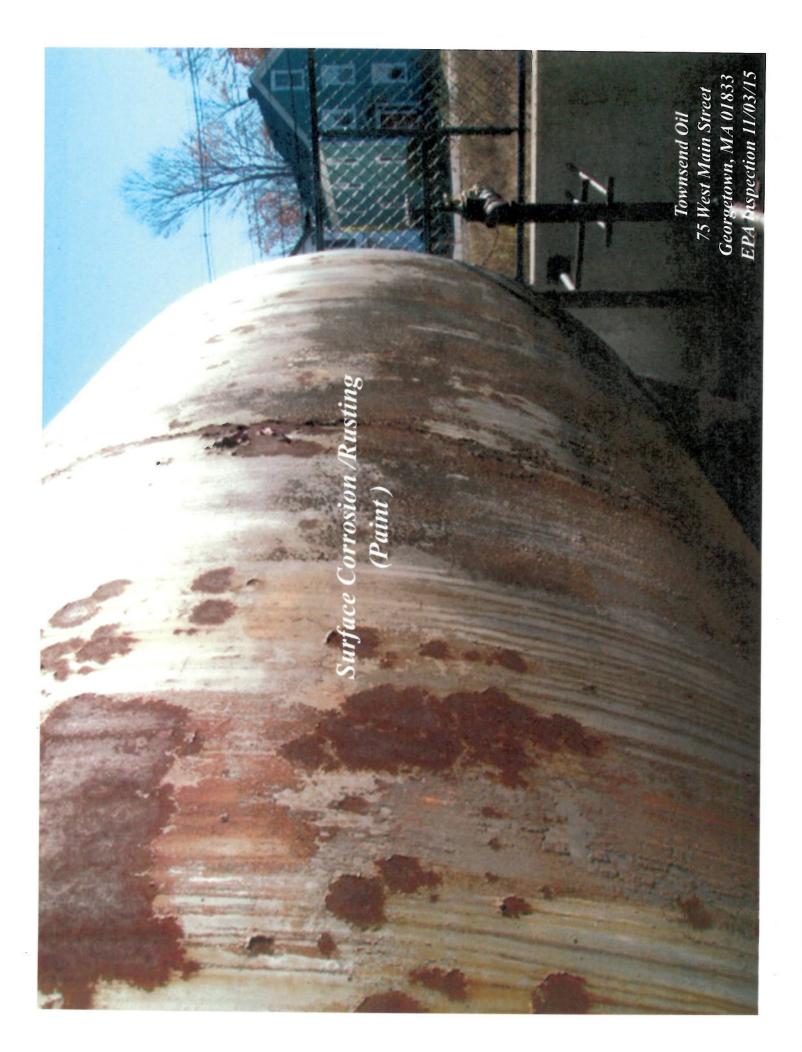
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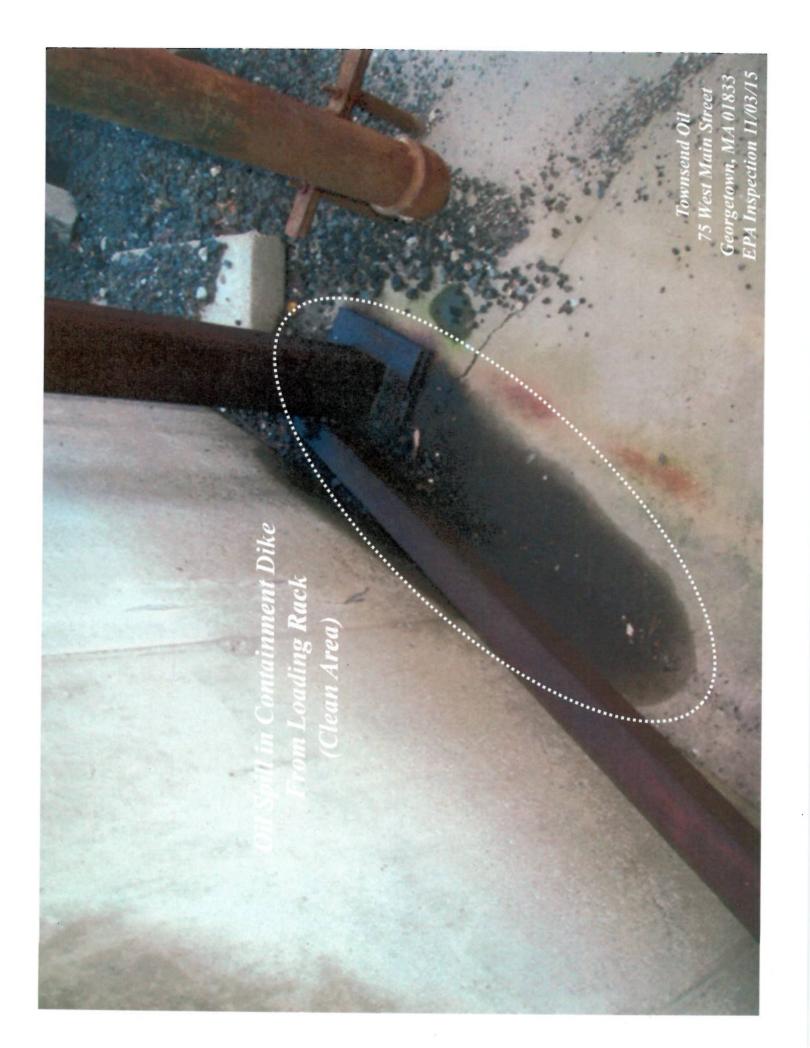
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inment Dike Concrete Fatigue (Repair)

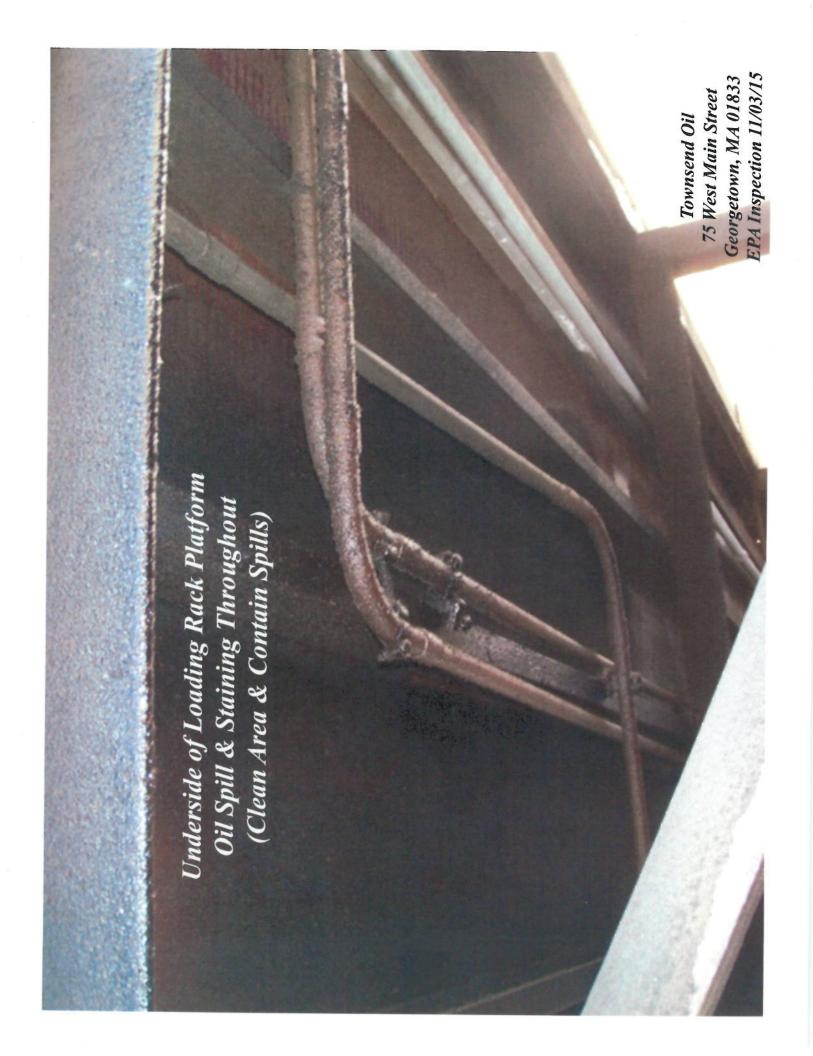
. . Interior Containment Dike Hole (Repair/Plug) Townsend Oil
75 West Main Street
Georgetown, MA 01833
EPA Inspection 11/03/15



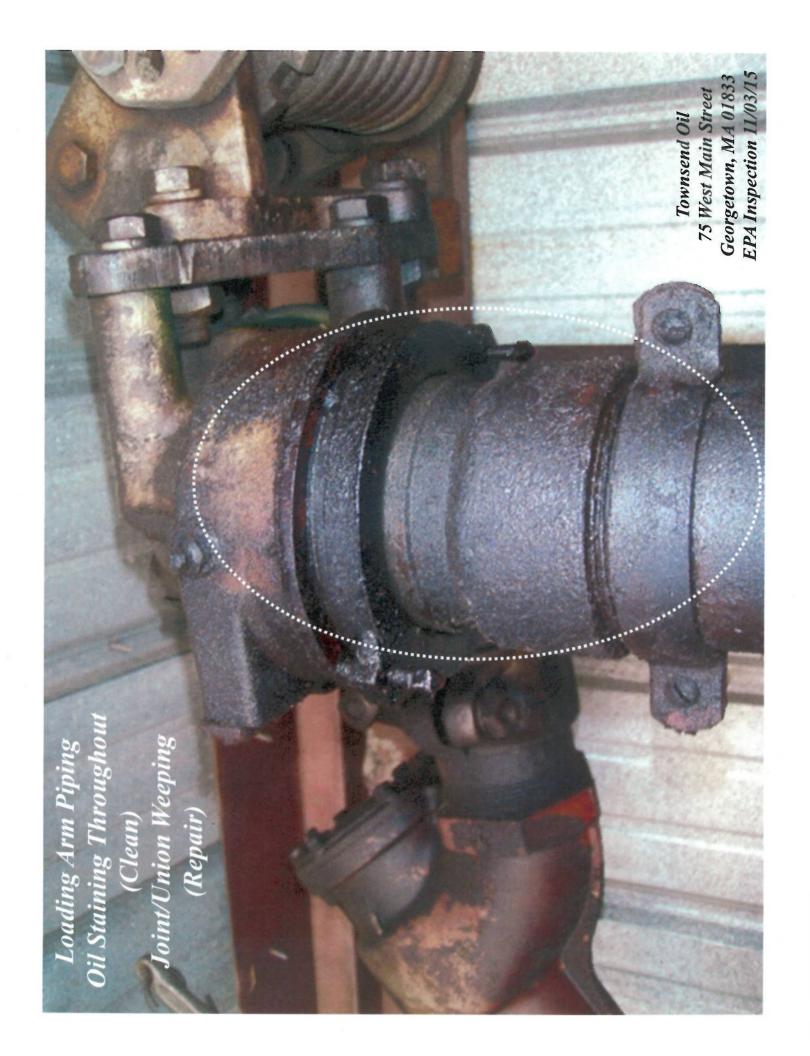
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iment Dike Concrete Floor Stress Cracking (Monitor & Repair As Needed)

Townsend Oil
75 West Main Street
Georgetown, MA 01833
EPA Inspection 11/03/15



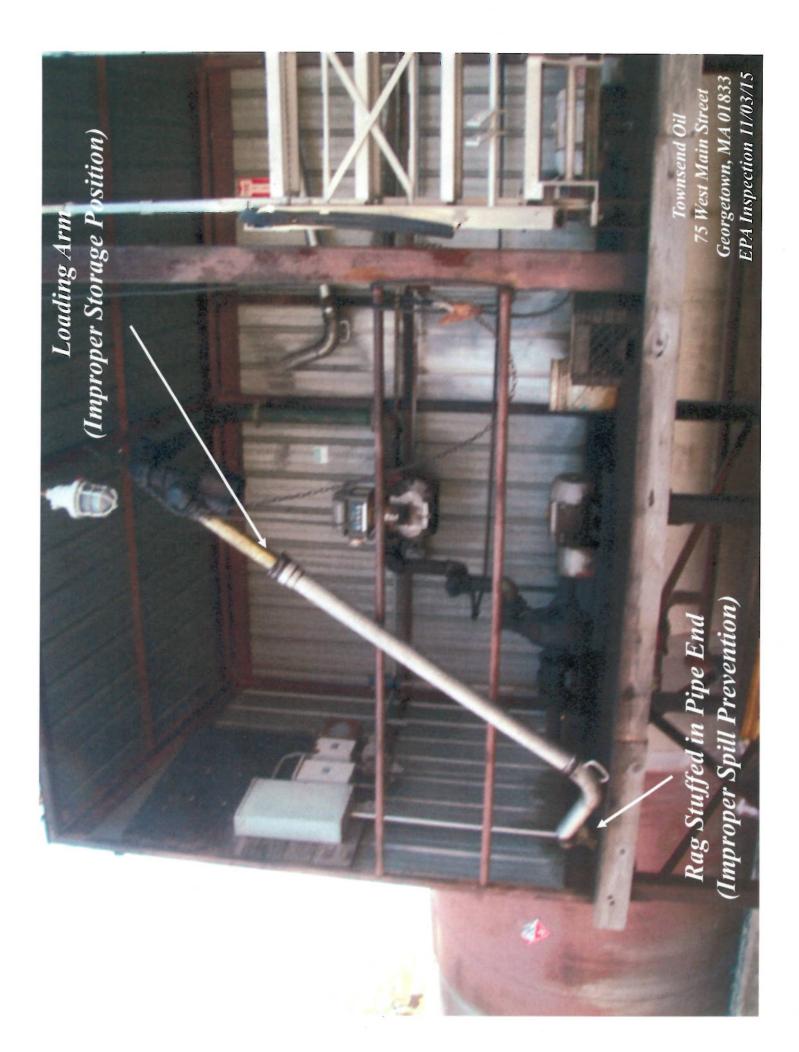
Loading Rack (Open Container - Use Closed Containers) Oil Staining Throughout (Clean)

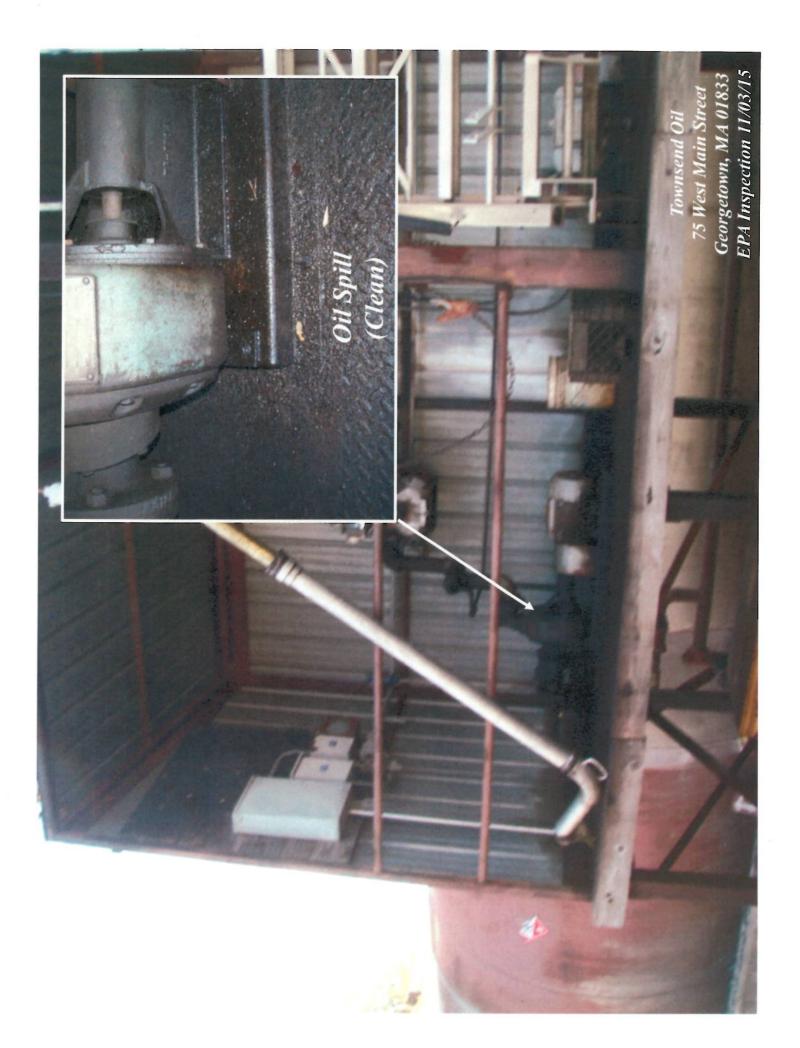




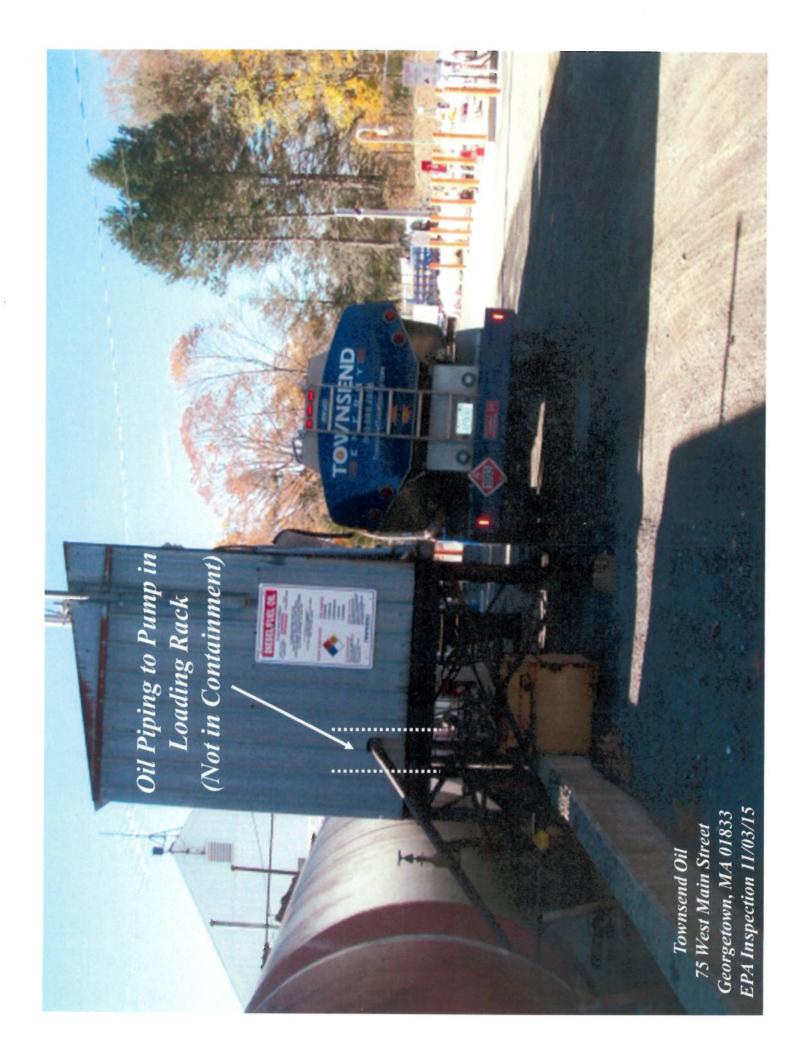
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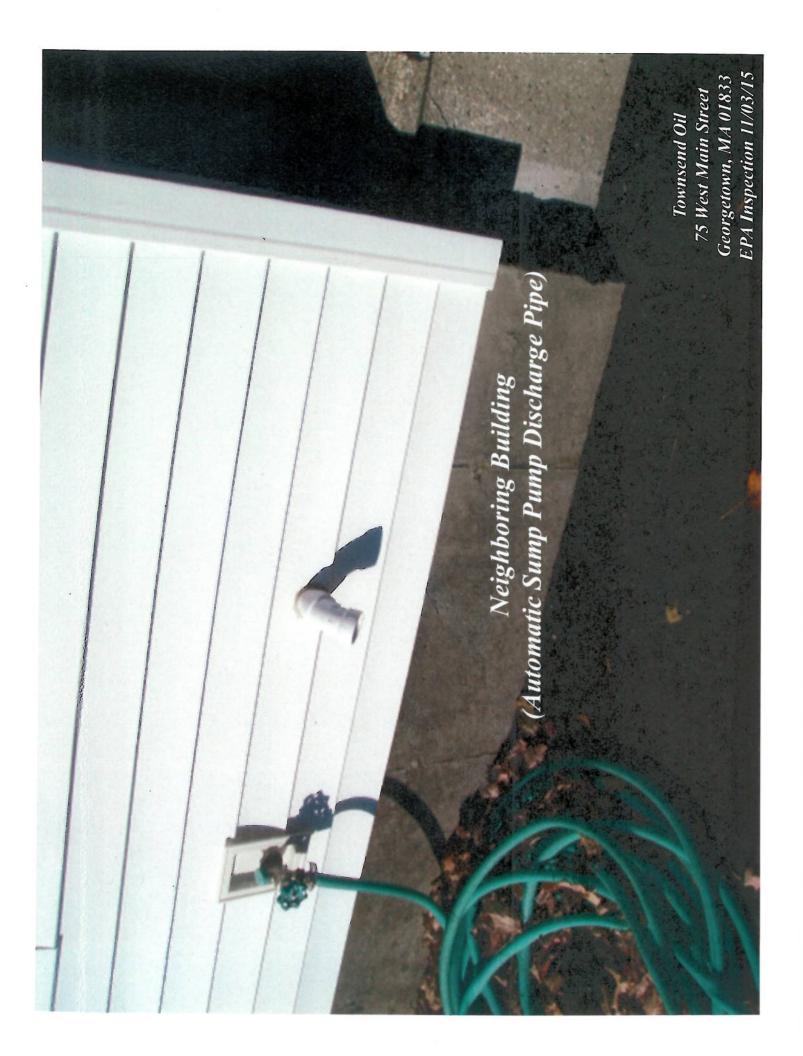






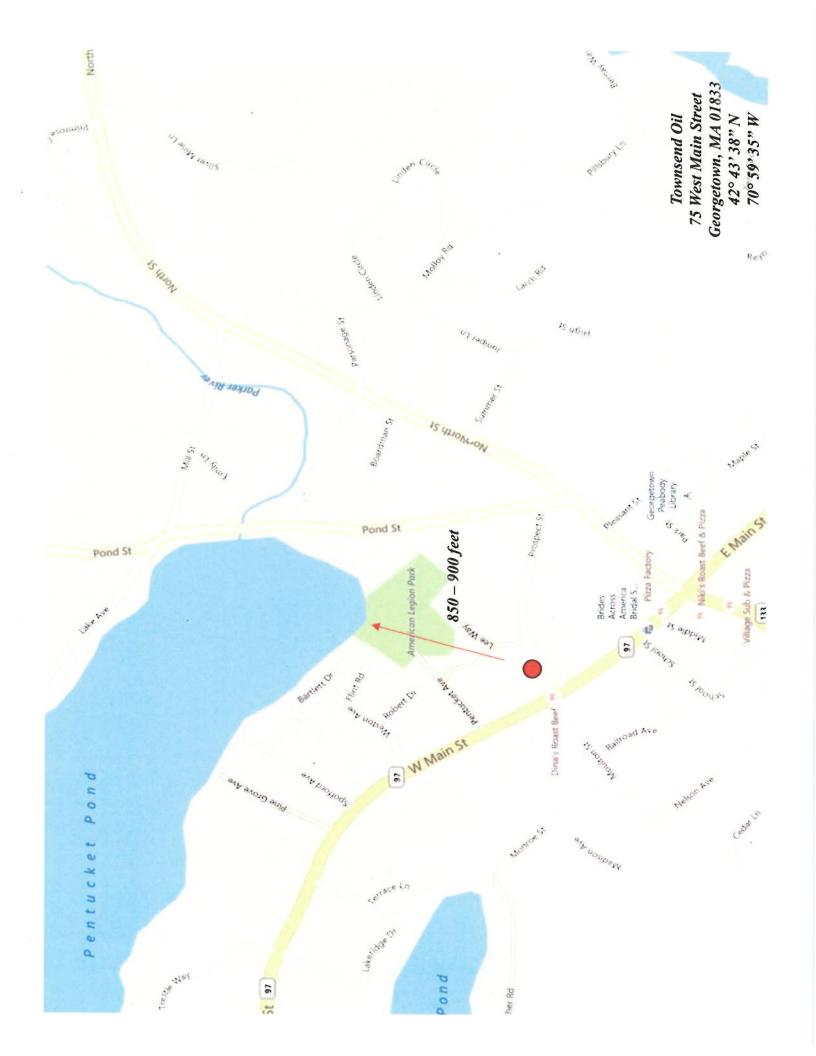


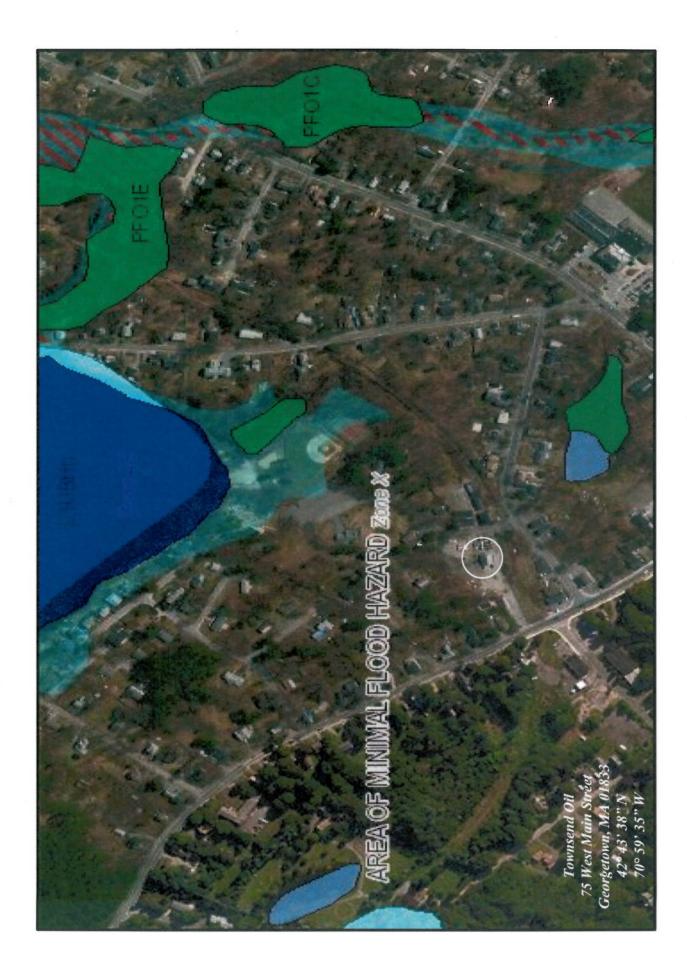




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### U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

#### **Small Business Programs**

www.epa.gov/smallbusiness EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

#### EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888 The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

#### EPA's Compliance Assistance Homepage

www2.epa.gov/compliance This page is a gateway industry and statute-specific environmental resources, from extensive webbased information to hotlines and compliance assistance specialists.

#### **EPA's Compliance Assistance Centers**

www.assistancecenters.net EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

#### Agriculture

www.epa.gov/agriculture/

### Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair ccar-greenlink.org/ or 1-888-GRN-LINK

### Chemical Manufacturing

www.chemalliance.org

#### Construction

www.cicacenter.org or 1-734-995-4911

#### Education

www.campuserc.org

### Food Processing

www.fpeac.org

#### Healthcare

www.hercenter.org

#### **Local Government**

www.lgean.org

#### Metal Finishing

www.nmfrc.org

#### **Paints and Coatings**

www.paintcenter.org

#### Printing

www.pneac.org

#### Ports

www.portcompliance.org

#### **Transportation**

www.tercenter.org

### U.S. Border Compliance and

Import/Export Issues www.bordercenter.org

# EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epahotlines EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

# Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

### Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

## EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

#### National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

#### National Response Center

**Hotline** to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

# Pollution Prevention Information Clearinghouse (PPIC) - www.epa.

gov/opptintr/ppic or 1-202-566-0799

#### Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

### Small Business Resources

#### Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline tsca-hotline@epa.gov or 1-202-554-1404

#### **Small Entity Compliance Guides**

http://www.epa.gov/sbrefa/compliance-guides.html EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

#### **Regional Small Business Liaisons**

http://www.epa.gov/sbo/rsbl.htm

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

#### **State Resource Locators**

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

# State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

#### **EPA's Tribal Portal**

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

#### **EPA Compliance Incentives**

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

#### **EPA's Small Business Compliance Policy**

www2.epa.gov/enforcement/small-businesses-and-enforcement This Policy offers small businesses special incentives to come into compliance voluntarily.

#### **EPA's Audit Policy**

www2.epa.gov/compliance/epas-audit-policy The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

# Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

#### Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.



### U.S. ENVIRONMENTAL PROTECTION AGENCY SPCC FIELD INSPECTION AND PLAN REVIEW CHECKLIST

ONSHORE FACILITIES (EXCLUDING OIL DRILLING, PRODUCTION AND WORKOVER)

#### Overview of the Checklist

This checklist is designed to assist EPA inspectors in conducting a thorough and nationally consistent inspection of a facility's compliance with the Spill Prevention, Control, and Countermeasure (SPCC) rule at 40 CFR part 112. It is a required tool to help federal inspectors (or their contractors) record observations for the site inspection and review of the SPCC Plan. While the checklist is meant to be comprehensive, the inspector should always refer to the SPCC rule in its entirety, the SPCC Regional Inspector Guidance Document, and other relevant guidance for evaluating compliance. This checklist must be completed in order for an inspection to count toward an agency measure (i.e., OEM inspection measures or GPRA). The completed checklist and supporting documentation (i.e. photo logs or additional notes) serve as the inspection report.

This checklist addresses requirements for onshore facilities including Tier II Qualified Facilities (excluding facilities involved in oil drilling, production and workover activities) that meet the eligibility criteria set forth in §112.3(g)(2).

Separate standalone checklists address requirements for:

Onshore oil drilling, production, and workover facilities including Tier II Qualified Facilities as defined in §112.3(g)(2);

Offshore drilling, production and workover facilities; and

Tier I Qualified Facilities (for facilities that meet the eligibility criteria defined in §112.3(g)(1))

Qualified facilities must meet the rule requirements in §112.6 and other applicable sections specified in §112.6, except for deviations that provide environmental equivalence and secondary containment impracticability determinations as allowed under §112.6.

The checklist is organized according to the SPCC rule. Each item in the checklist identifies the relevant section and paragraph in 40 CFR part 112 where that requirement is stated.

- Sections 112.1 through 112.5 specify the applicability of the rule and requirements for the preparation, implementation, and amendment of SPCC Plans. For these sections, the checklist includes data fields to be completed, as well as several questions with "yes," "no" or "NA" answers.
- · Section 112.6 includes requirements for qualified facilities. These provisions are addressed in Attachment D.
- Section 112.7 includes general requirements that apply to all facilities (unless otherwise excluded).
- Sections 112.8 and 112.12 specify requirements for spill prevention, control, and countermeasures for onshore facilities (excluding production facilities).

The inspector needs to evaluate whether the requirement is addressed adequately or inadequately in the SPCC Plan and whether it is implemented adequately in the field (either by field observation or record review). For the SPCC Plan and implementation in the field, if a requirement is addressed adequately, mark the "Yes" box in the appropriate column. If a requirement is not addressed adequately, mark the "No" box. If a requirement does not apply to the particular facility or the question asked is not appropriate for the facility, mark as "NA". Discrepancies or descriptions of inspector interpretation of "No" vs. "NA" may be documented in the comments box subsequent to each section. If a provision of the rule applies only to the SPCC Plan, the "Field" column is shaded.

Space is provided throughout the checklist to record comments. Additional space is available as Attachment E at the end of the checklist. Comments should remain factual and support the evaluation of compliance.

#### Attachments

- Attachment A is for recording information about containers and other locations at the facility that require secondary containment.
- Attachment B is a checklist for documentation of the tests and inspections the facility operator is required to keep with the SPCC Plan.
- Attachment C is a checklist for oil spill contingency plans following 40 CFR 109. Unless a facility has submitted a Facility Response Plan (FRP) under 40 CFR 112.20, a contingency plan following 40 CFR 109 is required if a facility determines that secondary containment is impracticable as provided in 40 CFR 112.7(d). The same requirement for an oil spill contingency plan applies to the owner or operator of a facility with qualified oil-filled operational equipment that chooses to implement alternative requirements instead of general secondary containment requirements as provided in 40 CFR 112.7(k).
- Attachment D is a checklist for Tier II Qualified Facilities.
- Attachment E is for recording additional comments or notes.
- Attachment F is for recording information about photos.

FACILITY INFORMATION	COMMISSION NEWSTREET			THE WAR S	
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LATITUDE: 42°43'38"/ LONGITUDE: 70.59'35"/ GPS DATUM:					
Section/Township/Range:	FRS#/OIL DA	TABASE ID:		ICIS#:	
ADDRESS: 75 West N	lain ST	,			
CITY: Georgetown ST	TATE: MA	ZIP: 01833	cou	NTY:	
MAILING ADDRESS (IF DIFFERENT FROM FACILITY A	ADDRESS - IF NOT, PRINT "SAME	<b>)</b> :			
27 CheraST				19	
CITY: Dayvers () ST	TATE: MA	ZIP: 0192	COU	NTY:	
TELEPHONE: 978. 705-2346	FACILITY CONTACT	T NAME/TITLE:	BARRY.	DAVIS	
OWNER NAME: JIM & MORE	c Townsen	nd			
OWNER ADDRESS: 27 Cher	RY ST				
CITY: DANVERS ST	TATE: MA	ZIP: 01923	cou	INTY:	
TELEPHONE: SAA	FAX:	E	MAIL:		
FACILITY OPERATOR NAME (IF DIFFERENT FRO	OM OWNER - IF NOT, PRINT "SAM	IET)I			
OPERATOR ADDRESS:					
CITY: S	ГАТЕ:	ZIP:	cou	INTY:	
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FACILITY TYPE: Dil STURAGE			NAIC	S CODE:	
HOURS PER DAY FACILITY ATTENDED:	Not Attended	TOTAL FACILITY CA	APACITY:	11485	
TYPE(S) OF OIL STORED: # Z 1/14	enosere; Di	ex / Cotte	on road	J	
LOCATED IN INDIAN COUNTRY? YES	NO RESERVATION	ON NAME:			
INSPECTION/PLAN REVIEW INFORMA	ATION				
PLAN REVIEW DATE: 11/3/15	REVIEWER NAME	CANZANI	0		
INSPECTION DATE: 11/3/15	TIME: 0900	ACTIVITY ID NO	<b>)</b> :		
LEAD INSPECTOR: CANTANO					
OTHER INSPECTOR(S): NONE					
INSPECTION ACKNOWLEDGMENT					
I performed an SPCC inspection at the facility specified above.					
INSPECTOR SIGNATURE:	100/		DAT	TE: 11/3/15	
SUPERVISOR REVIEW/SIGNATURE:	Je		DAT	TE:	

SPCC TIER II QUALIFIED FACILITY APPLICABILITY—40 CFR 112.3(g)(2)						
The aggregate aboveground oil storage capacity is 10,000 U.S. gallons or less AND						
In the three years prior to the SPCC Plan self-certification date, or since becoming subject to the rule (if the facility has been in operation for less than three years), the facility has NOT had:						
A single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons, OR	Yes No					
	Yes No					
IF <b>YES</b> TO ALL OF THE ABOVE, THEN THE FACILITY IS A TIER II QUALIFIED FACILIT SEE ATTACHMENT D FOR TIER II QUALIFIED FACILITY CHECKLIST	Y <sup>2</sup>					
REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN-40 CFR 112	.3					
Date facility began operations: UNKNOWN Townsend purchased in 26	09 1988					
Date of initial SPCC Plan preparation: UNKNOWN   Current Plan version (date/number): ////	4 VORSION					
112.3(a) For facilities (except farms), including mobile or portable facilities:  • In operation on or prior to November 10, 2011: Plan prepared and/or amended and fully	Yes No NA					
implemented by November 10, 2011	/					
<ul> <li>Beginning operations after November 10, 2011, Plan prepared and fully implemented before beginning operations</li> </ul>	Yes No NA					
For farms (as defined in §112.2): In operation on or prior to August 16, 2002: Plan maintained, amended and	Yes No NA					
implemented by May 10, 2013						
<ul> <li>Beginning operations after August 16, 2002 through May 10, 2013: Plan prepared and fully implemented by May 10, 2013</li> </ul>	Yes No NA					
Beginning operations after May 10, 2013: Plan prepared and fully implemented before beginning operations	☐Yes ☐No ☐NA					
112.3(d) Plan is certified by a registered Professional Engineer (PE) and includes statements that the PE attests:	☐Yes ☐No ☐NA					
PE is familiar with the requirements of 40 CFR part 112	Yes No NA					
PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility  PE or agent has visited and examined the facility and	YesNoNA					
<ul> <li>Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112</li> </ul>						
Procedures for required inspections and testing have been established	Yes No NA					
Plan is adequate for the facility	Yes ☐Ño ☐NA					
PE Name: Jos Colagions License No.: 35676 State: Children Date of certification:	HONE					
112.3(e)(1)  Plan is available onsite if attended at least 4 hours per day. If facility is unattended, Plan is available at the nearest field office.  (Please note nearest field office contact information in comments section below.)	Yes No NA					
Comments: Fill's unaffended & Plan is available for review @						
Davoen's office. Recommend Keeping Copy of Plan on site.						

Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

<sup>&</sup>lt;sup>2</sup> An owner/operator who self-certifies a Tier II SPCC Plan may include environmentally equivalent alternatives and/or secondary containment impracticability determinations when reviewed and certified by a PE.

SDCC CENEDAL ADDITION OF 40 CED 442 4	
SPCC GENERAL APPLICABILITY—40 CFR 112.1	B1-10130/64110, 71110/14884-698-698-279.
IS THE FACILITY REGULATED UNDER 40 CFR part 112?	
The completely buried oil storage capacity is over 42,000 U.S. gall oil storage capacity is over 1,320 U.S. gallons <u>AND</u>	ΠV., Πν.
The facility is a non-transportation-related facility engaged in drillin processing, refining, transferring, distributing, using, or consuming location could reasonably be expected to discharge oil into or upor States	g, producing, gathering, storing, oil and oil products, which due to its in the navigable waters of the United
AFFECTED WATERWAY(S): Pentucket Pond 1/01	L DISTANCE: 1500 FT
FLOW PATH TO WATERWAY:  Over Kand flow to surface workers	n River
Note: The following storage capacity is not considered in determining applicability	hu of SDCC requirements:
Equipment subject to the authority of the U.S. Department of Transportation, U.S. Department of the Interior, or Minerals Management Service, as defined in Memoranda of Understanding dated November 24, 1971, and November 8, 1993; Tank trucks that return to an otherwise regulated facility that contain only residual amounts of oil (EPA Policy letter)      Completely buried tanks subject to all the technical requirements of 40 CFR part 280 or a state program approved under 40 CFR part 281;      Underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission (NRC) and subject to any NRC provision regarding design and quality criteria, including but not limited to CFR part 50;      Any facility or part thereof used exclusively for wastewater treatment (production, recovery or recycling of oil is not considered wastewater treatment); (This does not include other oil containers located at a wastewater treatment facility, such as generator tanks or transformers)	<ul> <li>ty of SPCC requirements:</li> <li>Containers smaller than 55 U.S. gallons;</li> <li>Permanently closed containers (as defined in §112.2);</li> <li>Motive power containers(as defined in §112.2);</li> <li>Hot-mix asphalt or any hot-mix asphalt containers;</li> <li>Heating oil containers used solely at a single-family residence;</li> <li>Pesticide application equipment and related mix containers;</li> <li>Any milk and milk product container and associated piping and appurtenances; and</li> <li>Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.</li> </ul>
Does the facility have an SPCC Plan?	Yes No
FACILITY RESPONSE PLAN (FRP) APPLICABILITY-40 CFR	112.20(f)
A non-transportation related onshore facility is required to prepare and in the facility transfers oil over water to or from vessels and has a 42,000 U.S. gallons, OR	
The facility has a total oil storage capacity of at least 1 million U.	S. gallons, AND at least one of the following is true:
The facility does not have secondary containment suffi- tank plus sufficient freeboard for precipitation.	ciently large to contain the capacity of the largest aboveground
The facility is located at a distance such that a discharge environments.	
The facility is located such that a discharge would shut	
The facility has had a reportable discharge greater than	or equal to 10,000 U.S. gallons in the past 5 years.
Facility has FRP: Yes No NA	FRP Number:
Facility has a completed and signed copy of Appendix C, Attachment C- "Certification of the Applicability of the Substantial Harm Criteria."	II, Yes No
Comments:	

AMENDMENT OF SPCC PLAN BY REGIONAL ADMINISTRATOR (RA)-40 CFR 112.4						
			and the second s			
112.4(a),(c)	or more than 42 U.S	narged more than 1,000 U.S c. gallons in each of two repo	s. gallons of oil in a sing ortable discharges in an	le reportable discharge by 12-month period? <sup>3</sup>	Yes No	
If YES		n submitted to the RA as re			Yes No NA	
	Was information	n submitted to the appropria	ate agency or agencies	in charge of oil	Yes No NA	
	Date(s) and vol	ol activities in the State in white lume(s) of reportable discha	nich the facility is located rges(s) under this section	d§112.4(c) on:	LITES LING LINA	
	Were the disch	arges reported to the NRC5	?		Yes No	
112.4(d),(e)	Have changes requi	red by the RA been impleme	ented in the Plan and/or	facility?	☐Yes ☐No ☐NA	
dischar	112.4(d),(e) Have changes required by the RA been implemented in the Plan and/or facility?  Comments: According to facility personnel there have no reportable discharges on property.					
AMENDMENT	OF SPCC PLAN E	BY THE OWNER OR OPI	ERATOR-40 CFR 1	12.5	stary saddy	
112.5(a)	Has there been a chi described in §112.1(	ange at the facility that mate	rially affects the potenti	al for a discharge	Yes No	
If YES	Was the Plan are	mended within six months o	f the change?		Tyes TyNo	
4.4	Were amendme	ents implemented within six	months of any Plan ame	endment?	Yes No	
112.5(b)	Review and evaluation	on of the Plan completed at	least once every 5 years	s?	Yes No NA	
	Following Plan review, was Plan amended within six months to include more effective prevention and control technology that has been field-proven to significantly reduce the likelihood of a discharge described in §112.1(b)?					
	Amendments implem	ented within six months of a	ny Plan amendment?		☐Yes ☐No ☐NA	
	Five year Plan review	and evaluation documente	d?		Yes No NA	
112.5(c)	Professional Enginee applicable requireme	er certification of any technic nts of §112.3(d) [Except for	al Plan amendments in self-certified Plans]	accordance with all	Yes No NA	
Name:		License No.:	State:	Date of certification:		
Reason for amendment:						
changed but unsure of date - regrandig eliminated spill contain went for Mach,						

<sup>&</sup>lt;sup>3</sup> A reportable discharge is a discharge as described in §112.1(b)(see 40 CFR part 110). The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

<sup>4</sup> Triggering this threshold may disqualify the facility from meeting the Qualified Facility criteria if it occurred in the three years prior to self certification in the specific of the confirm any spills identified above were reported to NRC

GENERAL SP	PCC REQUIREMENTS—40 CFR 112.7	PLAN	FIELD
Management ap	proval at a level of authority to commit the necessary resources to the Plan <sup>6</sup>	Yes No	
Plan follows sec requirements ar	quence of the rule or is an equivalent Plan meeting all applicable rule and includes a cross-reference of provisions	Yes No NA	
details of their in	facilities, procedures, methods, or equipment not yet fully operational, installation and start-up are discussed (Note: Relevant for inspection testing baselines.)	Yes No MA	
112.7(a)(2)	The Plan includes deviations from the requirements of §§112.7(g), (h)(2) and (3), and (i) and applicable subparts B and C of the rule, except the secondary containment requirements in §§112.7(c) and (h)(1), 112.8(c)(2),112.8(c)(11), 112.12(c)(2), and 112.12(c)(11)	☐Yes ☐No ☐NA	
If YES	The Plan states reasons for nonconformance	Yes No NA	
	<ul> <li>Alternative measures described in detail and provide equivalent environmental protection (Note: Inspector should document if the environmental equivalence is implemented in the field, in accordance with the Plan's description)</li> </ul>	Yes No NA	☐Yes ☐No ☐NA
Describe each	deviation and reasons for nonconformance:	1.7	entago
Plan	deviation and reasons for nonconformance:  most follow sequence of Rule & regulating provisions.	include cross	reference
of re	egulators provisions.		,
Sect	THE of Plan notes proceeding	esa egs.pm	<i>t.</i>
			,
			× -
		*	
-			

<sup>&</sup>lt;sup>6</sup> May be part of the Plan or demonstrated elsewhere. Onshore Facilities (Excluding Oil Production)

112.7(a)(3)		Yes No	fermi fermi
	that identifies:  Location and contents of all regulated fixed oil storage containers  Storage areas where mobile or portable containers are located		Yes No
	Completely buried tanks otherwise exempt from the SPCC requirements (marked as "exempt")		
	<ul> <li>Transfer stations</li> <li>Connecting pipes, including intra-facility gathering lines that are otherwise exempt from the requirements of this part under §112.1(d)(11)</li> </ul>	2 Piping Ho	1 ShowN
	Plan addresses each of the following:	,	
(i)	For each fixed container, type of oil and storage capacity (see Attachment A of this checklist). For mobile or portable containers, type of oil and storage capacity for each container or an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities	Yes No	☐Yes ☐No
(ii)	Discharge prevention measures, including procedures for routine handling of products (loading, unloading, and facility transfers, etc.)	Yes No	☐Yes ☐No
(iii)	Discharge or drainage controls, such as secondary containment around containers, and other structures, equipment, and procedures for the control of a discharge	Yes No	Yes No
(iv)	Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources)	Yes No	☐Yes ☐No
(v)	Methods of disposal of recovered materials in accordance with applicable legal requirements	Yes No	
(vi)	Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b)	Yes No	
112.7(a)(4)	Does not apply if the facility has submitted an FRP under §112.20:	☐Yes ☐No ☐NA	
	Plan includes information and procedures that enable a person reporting an oil discharge as described in §112.1(b) to relate information on the:	ng	
	Exact address or location and phone     number of the facility;     Description of all affer     Cause of the dischar	CONTRACTOR CONTRACTOR	
- INC	Time of material discharged.	caused by the discharge;	
	Type of material discharged;     Estimates of the total quantity discharged;     Actions being used to mitigate the effects of		
	Estimates of the quantity discharged as     Whether an evacuati	on may be needed; and and/or organizations who	
112.7(a)(5)	Does not apply if the facility has submitted a FRP under §112.20:  Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency	Yes No NA	
112.7(b)	Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure	Yes No NA	
off /	landy areas not clearly a specifical hack list needs to be up-dated,	from rach	y d
Can			

Note in comments any discrepancies between the facility diagram, the description of the physical layout of facility, and what is observed in the field Onshore Facilities (Excluding Oil Production)

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		PLAN	FIELD
112.7(c)	Appropriate containment and/or diversionary structures or equipment as in §112.1(b), except as provided in §112.7(k) of this section for cer entire containment system, including walls and floors, are capable of escape of a discharge from the containment system before cleanup or secondary containment address the typical failure mode and the most See Attachment A of this checklist.	tain qualified operation ontaining oil and are cons curs. The method, design	atructed to prevent  a and capacity for
	impervious to contain oil;  Curbing or drip pans;  Sumps and collection systems;  Culverting, gutters or other drainage systems;	onds; or terials.	
	Identify which of the following are present at the facility and if appropria equipment are provided as described above:  Bulk storage containers  Mobile/portable containers  Oil-filled operational equipment (as defined in 112.2)  Other oil-filled equipment (i.e., manufacturing equipment)  Piping and related appurtenances  Mobile refuelers or non-transportation-related tank cars  Transfer areas, equipment and activities  Identify any other equipment or activities that are not listed above:	Tyes No NA  Yes NO NA	Yes No NA
112.7(d)	Secondary containment for one (or more) of the following provisions is determined to be impracticable:  General secondary containment \$112.7(c)  Loading/unloading rack \$112.7(h)(1)  Bulk storage containers \$\$112.8(c)(2)/112.12(c)(2)  Mobile/portable containers \$\$112.8(c)(11)/112.12(c)(11)	Yes No	
If YES	<ul> <li>The impracticability of secondary containment is clearly demonstrated and described in the Plan</li> <li>For bulk storage containers, <sup>8</sup> periodic integrity testing of containers and integrity and leak testing of the associated valves</li> </ul>	Yes No NA	Yes No NA
	<ul> <li>and piping is conducted</li> <li>(Does not apply if the facility has submitted a FRP under §112.20):</li> <li>Contingency Plan following the provisions of 40 CFR part 109 is provided (see Attachment C of this checklist) AND</li> <li>Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil</li> </ul>	The second second	Yes No NA
Comments:	All tunks are within stood second sec	ver night	must be

<sup>&</sup>lt;sup>8</sup> These additional requirements apply only to bulk storage containers, when an impracticability determination has been made by the PE

Onshore Facilities (Excluding Oil Production) Page 8 of 14 December 2012 (12-10-12) v4

		PLAN	FIELD.		
112.7(e)	Inspections and tests conducted in accordance with written procedures	Yes No	☐Yes ☐No		
	Record of inspections or tests signed by supervisor or inspector Kept with Plan for at least 3 years (see Attachment B of this	Yes No	Yes No		
	checklist) <sup>9</sup>	Tes INO	Yes No		
112.7(f)	Personnel, training, and oil discharge prevention procedures				
(1)	Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan	Yes No NA	Yes No NA		
(2)	Person designated as accountable for discharge prevention at the facility and reports to facility management	Yes No NA	Yes No NA		
(3)	Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures	Yes No NA	☐Yes ☐No ☐NA		
112.7(g)	Plan describes how to: Secure and control access to the oil handling, processing and storage areas; Secure master flow and drain valves; Prevent unauthorized access to starter controls on oil pumps; Secure out-of-service and loading/unloading connections of oil pipelines; and Address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.	Pos Ono Ona Review light Dos time no review	Yes No NA tig nearls, of able to		
112.7(h)	Tank car and tank truck loading/unloading rack10 is present at the facili	ty	Yes No		
	Loading/unloading rack means a fixed structure (such as a platform, gangway) car, which is located at a facility subject to the requirements of this part. A loading and may include any combination of the following: piping assemblages, valves, safety devices.	necessary for loading or unlo ng/unloading rack includes a	ading a tank truck or tank loading or unloading arm,		
If YES (1)	Does loading/unloading rack drainage flow to catchment basin or treatment facility designed to handle discharges or use a quick drainage system?	Yes No NA	Yes No NA		
	Containment system holds at least the maximum capacity of the largest single compartment of a tank car/truck loaded/unloaded at the facility	☐Yes ☐No ☐NA	Yes No NA		
(2)	An interlocked warning light or physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in the area adjacent to the <b>loading or unloading rack</b> to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines	Yes ZNo NA	Yes No NA		
(3)	Lower-most drains and all outlets on tank cars/trucks inspected prior to filling/departure, and, if necessary ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit	usharal	Yes No NA		
comments: Part III (pg 18) notes site improvements required to recommended which includes but is not limited to training personnel & records retention. At the time of the personnel & records retention, the private records.					
recomm	andly records retention. At y	He time of	the		
person	i late account wall to	pointo nece	ords		
inspecto	tion tocility personnel unable to	provide rece	1		

<sup>&</sup>lt;sup>9</sup> Records of inspections and tests kept under usual and customary business practices will suffice <sup>10</sup> Note that a tank car/truck loading/unloading rack must be present for §112.7(h) to apply

T Indoor	7 Mar Fra	PLAN /	FIELD
112.7(i)	Brittle fracture evaluation of field-constructed aboveground containers is conducted after tank repair, alteration, reconstruction, or change in service that might affect the risk of a discharge or after a discharge/failure due to brittle fracture or other catastrophe, and appropriate action taken as necessary (applies to only field-constructed aboveground containers)	☐Yes ☐No ☑NA	Yes No NA
112.7(j)	Discussion of conformance with applicable more stringent State rules, regulations, and guidelines and other effective discharge prevention and containment procedures listed in 40 CFR part 112	Yes No NA	
112.7(k)	Qualified oil-filled operational equipment is present at the facility <sup>11</sup> Oil-filled operational equipment means equipment that includes an oil storage of present solely to support the function of the apparatus or the device. Oil-filled container, and does not include oil-filled manufacturing equipment (flow-throug) equipment include, but are not limited to, hydraulic systems, lubricating system rotating equipment, including pumpjack lubrication systems), gear boxes, mach transformers, circuit breakers, electrical switches, and other systems containing Check which apply:  Secondary Containment provided in accordance with 112.7(c)  Alternative measure described below (confirm eligibility)	perational equipment is not on the process). Examples of oil-fine section in the process, those for pumps, containing coolant systems, heat	illed operational mpressors and other transfer systems,
112.7(k)	Qualified Oil-Filled Operational Equipment  Has a single reportable discharge as described in §112.1(b) from operational equipment exceeding 1,000 U.S. gallons occurred with prior to Plan certification date?  Have two reportable discharges as described in §112.1(b) from an operational equipment each exceeding 42 U.S. gallons occurred to period within the three years prior to Plan certification date?	nin the three years	☐Yes ☐No ☐NA ☐Yes ☐No ☐NA
0			
	The second secon	ance with \$112.7(c) is rec	guired
	If YES for either, secondary containment in accord     Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented	ance with §112.7(c) is rec	Ulired No NA
	<ul> <li>Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented</li> <li>Does not apply if the facility has submitted a FRP under §112.20:</li> <li>Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan AND</li> <li>Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is provided in Plan</li> </ul>	Yes No NA Yes No NA Yes No NA	Yes No NA
Comments:	<ul> <li>Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented</li> <li>Does not apply if the facility has submitted a FRP under §112.20:</li> <li>Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan AND</li> <li>Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil</li> </ul>	Yes No NA Yes No NA Yes No NA	Yes No NA
Comments:	<ul> <li>Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented</li> <li>Does not apply if the facility has submitted a FRP under §112.20:</li> <li>Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan AND</li> <li>Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is provided in Plan</li> </ul>	Yes No NA Yes No NA Yes No NA	Yes No NA

This provision does not apply to oil-filled manufacturing equipment (flow-through process)

12 Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

ONSHORE F 40 CFR 112.8	ACILITIES (EXCLUDING PRODUCTION) 8/112.12	PLAN	FIELD	
112.8(b)/ 112.1	12(b) Facility Drainage			
Diked Areas	Drainage from diked storage areas is:	Dva Du Du	Yes No NA	
(1)	<ul> <li>Restrained by valves, except where facility systems are designed to control such discharge, <u>OR</u></li> </ul>		Yes LINO LINA	
	<ul> <li>Manually activated pumps or ejectors are used and the condition of the accumulation is inspected prior to draining dike to ensure no oil will be discharged</li> </ul>			
(2)	Diked storage area drain valves are manual, open-and-closed design (not flapper-type drain valves)	☐Yes ☐No ☑NA	☐Yes ☐No ☐NA	
	If drainage is released directly to a watercourse and not into an onsite wastewater treatment plant, retained storm water is inspected and discharged per §§112.8(c)(3)(ii), (iii), and (iv) or §§112.12(c)(3)(ii), (iii), and (iv).	☐Yes ☐No ☐NA	Yes No NA	
Undiked Areas (3)	Drainage from undiked areas with a potential for discharge designed to flow into ponds, lagoons, or catchment basins to retain oil or return it to facility. Catchment basin located away from flood areas. 13	Yes No NA	Yes No NA	
. (4)	If facility drainage not engineered as in (b)(3) (i.e., drainage flows into ponds, lagoons, or catchment basins) then the facility is equipped with a diversion system to retain oil in the facility in the event of an uncontrolled discharge. <sup>14</sup>	Yes No NA		
(5)	Are facility drainage waters continuously treated in more than one treatment unit and pump transfer is needed?	Yes No NA	Yes No NA	
If YES	Two "lift" pumps available and at least one permanently installed	☐Yes ☐No ☐NA	☐Yes ☐No ☐NA	
	<ul> <li>Facility drainage systems engineered to prevent a discharge as described in §112.1(b) in the case of equipment failure or human error</li> </ul>	☐Yes ☐No ☐NA	Yes No NA	
a Mana pumped	comments: Accords to this personnel drainge waters them able a managed by claus-up untractor (no discharge) or manning pumped upgradient for irrigation,			
	(c) Bulk Storage Containers		□na	
Bulk storage co prior to use, wh storage contain	ontainer means any container used to store oil. These containers are used for pur nile being used, or prior to further distribution in commerce. Oil-filled electrical, ope ner.	poses including, but not limit erating, or manufacturing equ	led to, the storage of oil uipment is not a bulk	
If bulk storage of	containers are not present, mark this section Not Applicable (NA). If present, com	plete this section and Attach	ment A of this checklist.	
(1)	Containers materials and construction are compatible with material stored and conditions of storage such as pressure and temperature	Yes No NA	Yes No NA	
(2)	Except for mobile refuelers and other non-transportation-related tank trucks, construct all bulk storage tank installations with secondary containment to hold capacity of largest container and sufficient freeboard for precipitation	Yes No NA	Yes No NA	
	Diked areas sufficiently impervious to contain discharged oil OR  Alternatively, any discharge to a drainage trench system will be safely confined in a facility catchment basin or holding pond	Yes No NA	Yes No NA	

<sup>13</sup> Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

14 These provisions apply only when a facility drainage system is used for containment; otherwise mark NA

1000		PLAN	FIELD
(3)	Is there drainage of uncontaminated rainwater from diked areas into a storm drain or open watercourse?	Yes No NA	Yes No NA
If YES	Bypass valve normally sealed closed	Yes No NA	Yes No NA
	<ul> <li>Retained rainwater is inspected to ensure that its presence will not cause a discharge as described in §112.1(b)</li> </ul>	Yes No NA	Yes No NA
	<ul> <li>Bypass valve opened and resealed under responsible supervision</li> </ul>	Yes No NA	Yes No NA
	<ul> <li>Adequate records of drainage are kept; for example, records required under permits issued in accordance with 40 CFR §§122.41(j)(2) and (m)(3)</li> </ul>	Yes No NA	☐Yes ☐No ☐NA
(4)	For completely buried metallic tanks installed on or after January 10, 1974 (if not exempt from SPCC regulation because subject to all of the technical requirements of 40 CFR part 280 or 281):		
	<ul> <li>Provide corrosion protection with coatings or cathodic protection compatible with local soil conditions</li> </ul>	Yes No NA	
	Regular leak testing conducted	Yes No NA	Yes No NA
(5)	The buried section of partially buried or bunkered metallic tanks protected from corrosion with coatings or cathodic protection compatible with local soil conditions	☐Yes ☐ No ☐NA	Yes No ANA
(6)	Test or inspect each aboveground container for integrity on a	Yes No NA	Yes No NA
(0)	regular schedule and whenever you make material repairs.  Techniques include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other system of non-destructive	UNKNOWN	
	Appropriate qualifications for personnel performing tests and	Yes No NA	Yes No NA
	inspections are identified in the Plan and have been assessed in accordance with industry standards	UNIKNOWN	
	<ul> <li>The frequency and type of testing and inspections are documented, are in accordance with industry standards and take into account the container size, configuration and design</li> </ul>	Yes No LINA	Yes No NA
į	<ul> <li>Comparison records of aboveground container integrity testing are maintained</li> </ul>	Yes No NA	Yes No NA
	Container supports and foundations regularly inspected	Yes No NA	Yes No NA
	Outside of containers frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked	Yes No NA	L Tes LINO LINA
	Records of all inspections and tests maintained 15	☐Yes ☐No ☐NA	Yes No NA
formul	Standard identified in the Plan: Plan poads to intentional exteriors tunk injections	by ART653	e FROOT
SMUCON		Yes No NA	Yes No NA
(c)(6)(ii)	Conduct formal visual inspection on a regular schedule for bulk storage containers that meet all of the following conditions:		
AFVO Facilities	Subject to 21 CFR part 110;     Elevated;     Constructed of austenitic stainless steel;     Subject to 21 CFR part 110;     Have no external insulation; and     Shop-fabricated.		
	In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.	Yes No NA	
	You must determine and document in the Plan the appropriate qualifications for personnel performing tests and inspections. 16	LYes LNo LNA	Yes No NA

<sup>15</sup> Records of inspections and tests kept under usual and customary business practices will suffice Onshore Facilities (Excluding Oil Production) Page 12 of 14

		T	
(7)	Lookage through defective internal heating sails and to the	PLAN	FIELD
(7)	Leakage through defective internal heating coils controlled:     Steam returns and exhaust lines from internal heating coils that discharge into an open watercourse are monitored for contamination, OR	□Yes □No □NA	□Yes □No □NA
	<ul> <li>Steam returns and exhaust lines pass through a settling tank, skimmer, or other separation or retention system</li> </ul>	□Yes □No □NA	□Yes□No □NA
(8)	Each container is equipped with at least one of the following for liquid level sensing:  High liquid level alarms with an audible or visual  Direct audible or	code signal communication b	Yes No NA etween container gauger
	signal at a constainty attended operation or and pumping state surveillance station, or audible air vent in smaller facilities;  • Fast response sy computers, telep	tion; /stem for determining liquid le ulse, or direct vision gauges) and overall filling of bulk conta	vel (such as digital and a person present to
		uid level sensing devices to e	nsure proper operation.
(9)	Effluent treatment facilities observed frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b)	Yes No NA	Yes No NA
(10)	Visible discharges which result in a loss of oil from the container,	Yes No NA	TYes TNo TNA
	including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts are promptly corrected and oil in diked areas is promptly removed	observed lend	se rach
(11)	Mobile or portable containers positioned to prevent a discharge as described in §112.1(b).	Yes No NA	Yes No NA
	Mobile or portable containers (excluding mobile refuelers and other non-transportation-related tank trucks) have secondary containment with sufficient capacity to contain the largest single compartment or container and sufficient freeboard to contain precipitation	Did not obse	Yes No NA
112.8(d)/112.12	(d)Facility transfer operations, pumping, and facility process	provide start	.,,,,,
(1)	Buried piping installed or replaced on or after August 16, 2002 has protective wrapping or coating	Yes No NA	□Yes □No □NA
	Buried piping installed or replaced on or after August 16, 2002 is also cathodically protected or otherwise satisfies corrosion protection standards for piping in 40 CFR part 280 or 281	☐Yes ☐No ☐NA	☐Yes ☐No ☐NA
	Buried piping exposed for any reason is inspected for deterioration; corrosion damage is examined; and corrective action is taken	Yes No NA	☐Yes ☐No ☐NA
(2)	Piping terminal connection at the transfer point is marked as to origin and capped or blank-flanged when not in service or in standby service for an extended time	Yes No NA	Yes No NA
(3)	Pipe supports are properly designed to minimize abrasion and corrosion and allow for expansion and contraction	Yes No NA	Yes No NA
(4)	Aboveground valves, piping, and appurtenances such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces are inspected regularly to assess their general condition	Yes No NA	Yes No NA
	Integrity and leak testing conducted on buried piping at time of installation, modification, construction, relocation, or replacement	Yes No NA	☐Yes ☐No ☐NA
(5)	Vehicles warned so that no vehicle endangers aboveground piping and other oil transfer operations	Yes No NA	Yes No NA
Comments:	TANK Dive volume not identified in	Plan - Fairly	presimel
indicato	that Dire copicit is greater of ollons. Tanks are buttled together.	than 50,000	gollons, c.e.
70,000	ollons. Tanks are buttled together.		

### ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE

Documentation of Field Observations for Containers and Associated Requirements

Inspectors should use this table to document observations of containers as needed.

#### Containers and Piping

Check containers for leaks, specifically looking for: drip marks, discoloration of tanks, puddles containing spilled or leaked material, corrosion, cracks, and localized dead vegetation, and standards/specifications of construction.

Check aboveground container foundation for: cracks, discoloration, and puddles containing spilled or leaked material, settling, gaps between container and foundation, and damage caused by vegetation roots.

Check all piping for: droplets of stored material, discoloration, corrosion, bowing of pipe between supports, evidence of stored material seepage from valves or seals, evidence of leaks, and localized dead vegetation. For all aboveground piping, include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, bleeder and gauge valves, and other such items (Document in comments section of §112.8(d) or 112.12(d).)

#### Secondary Containment (Active and Passive)

Check secondary containment for: containment system (including walls and floor) ability to contain oil such that oil will not escape the containment system before cleanup occurs, proper sizing, cracks, discoloration, presence of spilled or leaked material (standing liquid), erosion, corrosion, penetrations in the containment system, and valve conditions.

Check dike or berm systems for: level of precipitation in dike/available capacity, operational status of drainage valves (closed), dike or berm impermeability, debris, erosion, impermeability of the earthen floor/walls of diked area, and location/status of pipes, inlets, drainage around and beneath containers, presence of oil discharges within diked areas.

Check drainage systems for: an accumulation of oil that may have resulted from any small discharge, including field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers. Ensure any accumulations of oil have been promptly removed.

Check retention and drainage ponds for: erosion, available capacity, presence of spilled or leaked material, debris, and stressed vegetation.

Check active measures (countermeasures) for: amount indicated in plan is available and appropriate; deployment procedures are realistic; material is located so that they are readily available; efficacy of discharge detection; availability of personnel and training, appropriateness of measures to prevent a discharge as described in §112.1(b).

Container ID/ General Condition <sup>16</sup> Aboveground or Burled Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections
(5) tanks	10,000	DIESEL	
(2) kinks	10,000	# Z	
to tank	330	Kero	
(2) tarks	275	DIESEL DIESEL	
1) tunh	275	# 2	
			V

<sup>&</sup>lt;sup>16</sup> Identify each tank with either an A to indicate aboveground or B for completely buried Onshore Facilities (Excluding Oil Production) Page A-1 of 2

# ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE (CONT.) Documentation of Field Observations for Containers and Associated Requirements

Container ID/ General Condition <sup>17</sup> Aboveground or Buried Tank	Storage Capacity and Type of Oil	Type of Containment/ Drainage Control	Overfill Protection and Testing & Inspections
-			
-			
AND STATE OF THE S			

<sup>&</sup>lt;sup>17</sup> Identify each tank with either an A to indicate aboveground or B for completely buried

# ATTACHMENT B: SPCC INSPECTION AND TESTING CHECKLIST

Required Documentation of Tests and Inspections

Records of inspections and tests required by 40 CFR part 112 signed by the appropriate supervisor or inspector must be kept by all facilities with the SPCC Plan for a period of three years. Records of inspections and tests conducted under usual and customary business practices will suffice. Documentation of the following inspections and tests should be kept with the SPCC Plan.

			Documentation				
	Inspection or Test	Present	Not Present	Not Applicable			
112.7-Gene	112.7-General SPCC Requirements						
(d	Integrity testing for bulk storage containers with no secondary containment system and for which an impracticability determination has been made			ď			
(d	Integrity and leak testing of valves and piping associated with bulk storage containers with no secondary containment system and for which an impracticability determination has been made			ø			
(h)(3)	Inspection of lowermost drain and all outlets of tank car or tank truck prior to filling and departure from loading/unloading rack						
(6)	Evaluation of field-constructed aboveground containers for potential for brittle fracture or other catastrophic failure when the container undergoes a repair, alteration, reconstruction or change in service or has discharged oil or failed due to brittle fracture failure or other catastrophe			Ø			
k(2)(i)	k(2)(i) Inspection or monitoring of qualified oil-filled operational equipment when the equipment meets the qualification criteria in §112.7(k)(1) and facility owner/operator chooses to implement the alternative requirements in §112.7(k)(2) that include an inspection or monitoring program to detect oil-filled operational equipment failure and discharges			ď			
112.8/112.12	Onshore Facilities (excluding oil production facilities)		50				
(b)(1), (b)(2)	Inspection of storm water released from diked areas into facility drainage directly to a watercourse						
(c)(3) Inspection of rainwater released directly from diked containment areas to a storm drain or open watercourse before release, open and release bypass valve under supervision, and records of drainage events			ď				
(c)(4)	Regular leak testing of completely buried metallic storage tanks installed on or after January 10, 1974 and regulated under 40 CFR 112						
(c)(6)	Regular integrity testing of aboveground containers and integrity testing after material repairs, including comparison records		13				
(c)(6), (c)(10)	Regular visual inspections of the outsides of aboveground containers, supports and foundations						
(c)(6)	Frequent inspections of diked areas for accumulations of oil						
(c)(8)(v)	Regular testing of liquid level sensing devices to ensure proper operation						
(c)(9)	Frequent observations of effluent treatment facilities to detect possible system upsets that could cause a discharge as described in §112.1(b)		0				
(d)(1)	Inspection of buried piping for damage when piping is exposed and additional examination of corrosion damage and corrective action, if present			0			
(d)(4)	Regular inspections of aboveground valves, piping and appurtenances and assessments of the general condition of flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces		ď				
(d)(4)	Integrity and leak testing of buried piping at time of installation, modification, construction, relocation or replacement			Ø			

# ATTACHMENT C: SPCC CONTINGENCY PLAN REVIEW CHECKLIST

Parent,	
	NA

40 CFR Part 109-Criteria for State, Local and Regional Oil Removal Contingency Plans

If SPCC Plan includes an impracticability determination for secondary containment in accordance with §112.7(d), the facility owner/operator is required to provide an oil spill contingency plan following 40 CFR part 109, unless he or she has submitted a FRP under §112.20. An oil spill contingency plan may also be developed, unless the facility owner/operator has submitted a FRP under §112.20 as one of the required alternatives to general secondary containment for qualified oil filled operational equipment in accordance with §112.7(k).

F			
	Development and implementation criteria for State, local and regional oil removal contingency plans <sup>18</sup>	Yes	No
(a)	Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations.		
(b)	Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including:		
(1)	The identification of critical water use areas to facilitate the reporting of and response to oil discharges.		
(2)	A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered.		
(3)	Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., National Contingency Plan (NCP)).		
(4)	An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority.		
(c)	Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including:		
(1)	The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.		
(2)	als and supplies that would be required to remove the maximum oil discharge to be anticipated.		
(3)	(3) Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.		
(d)	Provisions for well-defined and specific actions to be taken after discovery and notification of an oil discharge including:		
(1)	Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.		
	Pre-designation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.		
(3)	A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.		
(4)	Provisions for varying degrees of response effort depending on the severity of the oil discharge.		
	Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.		
(e)	Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.		

<sup>&</sup>lt;sup>18</sup> The contingency plan should be consistent with all applicable state and local plans, Area Contingency Plans, and the NCP.

### ATTACHMENT D: TIER II QUALIFIED FACILITY CHECKLIST

-	/
1	NA

TIER II QUALIFIED FACILITY PLAN REQUIREMENTS 40 CFR 112.6(b)			
112.6(b)(1)	Plan Certification: Owner/operator certified in the Plan that:	Yes No	
(i)	He or she is familiar with the requirements of 40 CFR part 112	☐Yes ☐No ☐NA	
(ii)	He or she has visited and examined the facility <sup>19</sup>	Yes No NA	
(iii)	(iii) The Plan has been prepared in accordance with accepted and sound industry practices and standards and with the requirements of this part		
(iv)	(iv) Procedures for required inspections and testing have been established		
(v)	He or she will fully implement the Plan	Yes No NA	
(vi)	(vi) The facility meets the qualification criteria set forth under §112.3(g)(2)		
(vii)	The Plan does not deviate from any requirements as allowed by §§112.7(a)(2) and 112.7(d), except as described under §112.6(b)(3)(i) or (ii)	Yes No NA	
(viii)	management and the facility owner or operator has committed the necessary resources to fully implement the Plan.	Yes No NA	
112.6(b)(2)	<b>Technical Amendments:</b> The owner/operator self-certified the Plan's technical amendments for a change in facility design, construction, operation, or maintenance that affected potential for a §112.1(b) discharge	Yes No NA	
If YES	Certification of technical amendments is in accordance with the self-certification provisions of §112.6(b)(1).	☐Yes ☐No ☐NA	
(i)	A PE certified a portion of the Plan (i.e., Plan is informally referred to as a hybrid Plan)	Yes No NA	
If YES	<ul> <li>The PE also certified technical amendments that affect the PE certified portion of the Plan as required under §112.6(b)(4)(ii)</li> </ul>	Yes No NA	
(ii)	(ii) The aggregate aboveground oil storage capacity increased to more than 10,000 U.S. gallons as a result of the change		
If YES	The facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) bec it exceeds 10.000 U.S. gallons in aggregate aboveground storage capac	ause ity	
	The owner/operator prepared and implemented a Plan within 6 months following the change and had it certified by a PE under §112.3(d)	Yes No NA	
112.6(b)(3)	Plan Deviations: Does the Plan include environmentally equivalent alternative methods or impracticability determinations for secondary containment?	Yes No NA	
If YES	Identify the alternatives in the hybrid Plan:	п. п. п	
	Environmental equivalent alternative method(s) allowed under §112.7(a)(2);	Yes No NA	
8	Impracticability determination under §112.7(d)	Yes No NA	
112.6(b)(4)	<ul> <li>For each environmentally equivalent measure, the Plan is accompanied by a written statement by the PE that describes: the reason for nonconformance, the alternative measure, and how it offers equivalent environmental protection in accordance with §112.7(a)(2);</li> </ul>	Yes No NA	
	<ul> <li>For each secondary containment impracticability determination, the Plan explains the reason for the impracticability determination and provides the alternative measures to secondary containment required in §112.7(d)</li> </ul>		
	AND		
(i)	PE certifies in the Plan that:  He/she is familiar with the requirements of 40 CFR Part 112	Tyes No NA	
(A)		Yes No NA	
(B)	31 C440 7(-)(2) a-th-		
(C)	determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of 40 CFR Part 112.	Yes No NA	
Comments:			

<sup>&</sup>lt;sup>19</sup> Note that only the person certifying the Plan can make the site visit

### ATTACHMENT E: ADDITIONAL COMMENTS

Monogement. Plan developed 1/1/04\_should have been reviewed by monogened no later than 1/1/09.

Facility under went change regards looking rach draininge which was not addressed in Plan as an ammendant,

Load; rach must have sixed secondary containment,

Facility operates an advanatic sump pump in baranent what tank is located,

From observed oil epillage a rock of piping & operation moving product to Mobil reference while hands not on control values, i.e. Tital Tetts oil,

### ATTACHMENT E: ADDITIONAL COMMENTS (CONT.)

# ATTACHMENT F: PHOTO DOCUMENTATION NOTES

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description
				will get copy of all photos taken
				photos taken
	**			
	ş.			
1.				A

### ATTACHMENT F: PHOTO DOCUMENTATION NOTES (CONT.)

Photo#	Photographer Name	Time of Photo Taken	Compass Direction	Description
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	ě			
		<u>.                                    </u>		
20				
X-11				
				<b>9</b>
	48			



# NOTICE OF SPCC INSPECTION WITH DEFICIENCIES UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

11/5/15	Lead Inspector (Print Name & Sign):	Inspection Number:
Additional Inspectors:	- with	rumoer;
Facility Name: Toursen	ad Oil Facility Add Truly	1:
Facility Phone:	Geogetoun, MA	Storage
The purpose of the inspection pro	cess is to determine compliance with Section 211	Facility Pax:
areas); taking photographs or vide	o; collecting samples; and other activities necessary to determine;	a physical inspection of the facility (including process
Please review this Notice of SPCC observed by the inspector. Please t	Inspection with Deficiencies form ("Notice") [and any attached december advised that this Notice and any attached december [1]	ocuments) carefully, as they identify deficiencies
Please also be advised that any non	compliance with the Act and/or the Regulations	impliance or noncompliance.
ppiicable law, and to seek penalties elevant information will be reviewed fentified in such review	compliance with the Act and/or the Regulations may constitute a vi pon subsequent findings by a court of law or the Administrator that vironmental Protection Agency ("EPA") reserves the right to initiate as and other appropriate relief, for any violation of the Act, the Regu- de by appropriate EPA personnel to determine if any of the deficien- violations of the Act and/or the Regulations and whether an enforce ciencies identified during the subsequent inspection review process.	an enforcement action under the Act and any other
U Inc extent thic Notice id	eficiencies with the Act and/or Regulations, [as specified in the atta as possible. EPA requests you submit all information, as soon as pos-	
	Joseph Canzano, P.E. U.S. Environmental Protection Agency Region I Oil Spill Prevention Compliance Coordinate 5 Post Office Square, Suite 100, OES04-4 Boston, MA 02100, 2012	or
is not feasible to correct the defici icating by when the noted deficient SPCC regulatory requirements, you Oil Pollution Prevention regulation	iencies within 30-days of the date of the inspection, immediately sizes will be corrected. If you believe that your facility is not require u may submit an explanation, supported by documentation, as to what a sat 40 C.F.R Part 112 or meets its requirements within 30-days of	submit a detailed explanation and schedule d to have an SPCC Plan, or is in compliance with ny the facility is not subject to the SPCC provision of the date of the inspection
the information submitted to EPA,	Confidential Business Information  you may be entitled to claim it as Confidential Business Informatio formation you have designated meets the criteria in 40 C.F.R. § 2.2 specified in 40 C.F.R. Part 2 Subpart B. Unless CBI is claimed, EP	The second secon
ature of Facility Represen	Acknowledgement of Inspection	
	DyMIL Direct	be of Salety of Complaince

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